

Laws affecting women and children in the suffrage and non-suffrage states, by Annie G. Porritt

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LAWS AFFECTING WOMEN AND CHILDREN IN THE SUFFRAGE AND NON-SUFFRAGE STATES By Mrs. ANNIE G. ertrud (Webb) PORRITT

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Second Edition, April, 1917 National Woman Suffrage Publishing Company, Inc. 171 Madison Avenue, New York City

HQ 1255 P75 1917 "To my daughter Marinry" League of Woman Voters 1942

FOREWORD

The National Woman Suffrage Publishing Co., Inc., in offering to the public this digest of the laws of the various states relating to matters of greatest interest to women, wishes to state that its purpose is to give the Suffrage workers and speakers a ready reference book containing a general statement of the statutory law of the various states, relating to the particular subjects covered by the book, in such form that the laws of the various states may be quickly grasped and compared.

This book has been prepared by our editor, Mrs. Annie G. Porritt, with the greatest care, and we believe the book to be an accurate statement, in condensed form, of the statutory law of the various states at the present time upon the subjects which it purports to cover. The book, however, is not a law treatise, and it has been thought not only impossible, but undesirable, to go into the various questions arising under the different statutes, relating to their interpretation and enforcement. Whenever there is any doubt, the careful student should consult the statutes and the decisions of the courts.

With this warning against relying upon this book except as the statement of the general statutory law, we trust that it may be found of use to a large number of workers who need in their speaking or writing, such general, comparative statements of the laws of the various states as are here contained.

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IMPORTANT LEGISLATION IN THE UNITED STATES AFFECTING WOMEN AND CHILDREN

PREFACE

It is the hope of the Editor that this collection of laws will serve two purposes. It is intended as a basis for a fair comparison between the laws affecting women and children in the equal suffrage states and in the states where men only vote; and it is also hoped that it will prove useful to the enfranchised women when they are seeking to remodel the laws in their own states. By comparing all the laws on a given subject, it will be possible to select the best of them and to use it as a guide in drawing up a bill.

No attempt has been made to cover exhaustively all the laws on the subjects included in the volume, or to quote the exact wording of the acts. This would be impossible within the limits of space. Accuracy is, however, essential in a book of this kind, and efforts have been made to keep strictly accurate. The cooperation of Suffragists is earnestly invited in regard to this important aspect. If any errors are discovered, the Editor will be deeply grateful for a notification concerning them; and as new laws bearing upon the subjects included in this volume are being passed in every legislative session, it will be of the greatest possible benefit if the Suffrage Associations will make it

the business of one of their officers to keep the National Woman Suffrage Publishing Company, Inc., informed of the introduction and fate of any such measures.

June, 1916.

In this second edition of the Book of Laws it has not been possible to include the legislation of the forty-three legislatures in session in the spring and summer of this year. Many of the legislatures are still sitting at the time of publication; and in none of the states is compilation of the official volume of laws of 1917 yet completed. The effort has therefore been to give the laws accurately as they stood at the beginning of 1917.

April, 1917.

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LABOR LEGISLATION FOR WOMEN AND CHILDREN

The largest volume of legislation concerning women and children may be classed as labor laws. These laws include:—

1. Laws fixing the maximum number of hours that may be worked per day and per week;
2. Laws prohibiting night work;
3. Laws prohibiting certain employments, such as work in mines and in bar-rooms;
4. Laws prohibiting young people from working near dangerous machinery or among dangerous chemicals;
5. Laws enforcing decency and sanitation in the factories and workshops where women and children are employed;
6. Laws enforcing the provision of seats for women and girls;
7. Laws providing that children shall reach a certain age and a certain standard of literacy before going to work;
8. Laws controlling street trading children;
9. Minimum wage legislation;

10. Closely connected with the labor laws are the laws making attendance at school compulsory on children.

According to the figures of the United States Census, there were on a given day in 1910, 7,678,578 persons actually at work in manufacturing industries. This is taken as the average number working daily in such employments. Of the total number 487,163 were proprietors, officials, managers and clerks, and 6,615,046 were wage earners. Of the wage earners 2.5 per cent were boys and girls under 16; 19.5 per cent were girls and women over 16, and 78 per cent were males over 16. It will thus be seen that one-fifth of the wage earners were women and girls—1,290,389 over 16, and 72,364 under 16; while four-fifths, or 5,163,164 over 16 and 89,129 under 16, were men and boys.

The industries employing the largest numbers of wage-earners are the lumber and foundry industries, in both of which very few women are employed. Next to these, the industry with the largest number of workers is cotton manufacturing, which employs 378,880 wage-earners. Of these 50.9 per cent are men; 38.7 women, and 10.4 children. The cotton industry first reached 10 the factory stage in Massachusetts, and this state has still the largest number of women and children working in cotton and woolen factories. In consequence of these conditions, Massachusetts has the most complete code of labor laws for women and children. Until recently it was generally considered the best code; but many of its laws have been improved upon in several of the equal suffrage states. Such improvements are the eight hour laws of Colorado and California and the minimum wage laws of California, Oregon, Colorado and Kansas.

The attention of the women of the equal suffrage states was not forcibly called to such subjects as are covered by the Massachusetts factory laws until comparatively recently. This was due to the fact that very few women are wage-earners in any manufacturing industry in Wyoming, Utah, Colorado and Idaho—the only states that had equal suffrage previous to 1910. To pass the Massachusetts labor code in these states would have been like passing the western mining codes in New England. In Massachusetts there is no law prohibiting the employment of women and children in mines. It is true that there are no mines in Massachusetts; but it is also true that there are not cotton mills in Wyoming or Idaho; and yet it was long made a reproach to the women voters that the hours of labor of women and children in factories were not strictly controlled in these states.

Minimum wage laws, which are given in another section, date back only to 1912. In this form of legislation also the lead was given by Massachusetts, but Massachusetts was quickly outstripped by more western states. Of the eleven states which had passed minimum wage laws by 1915, six were equal suffrage states. The chief difference between the Massachusetts law and those passed later, is that in Massachusetts, as also in Nebraska, publicity is the only force relied upon to compel

employers to pay the minimum rates decreed by the Commission. In the six equal suffrage states and in three male-suffrage states which have passed minimum wage laws, it is penal to employ women or minors at rates below those fixed as the minimum.

ALABAMA

Until 1915 Alabama was one of the most backward states in regard to protective legislation for women and children. A great advance was made in the child labor law passed in the 11 session of 1915. The chief provisions of the Alabama laws are as follows:—

No child under 13 shall be permitted to work in any gainful employment except domestic service or agriculture. (After Sept. 1, 1916, this age limit is raised to 14.) Provided, that boys over 12 may be employed out of school hours in offices or mercantile establishments in towns and cities of less than 25,000 population.

No person under 18 shall be employed as messenger in any city of 25,000 or over in the distribution of goods or messages, between 9 p.m. and 5 a. m.; or in cities of less than 25,000 population between 10 p. m. and 5 a. m., and no person under 21 shall be employed in any place where intoxicating liquors are manufactured, packed or sold.

No child under 16 shall be employed about dangerous machinery or on railroads or vessels, or among dangerous acids or poisonous dyes, or gases, nor on scaffolding, nor in building trades, nor in any tunnel or mine, coal breaker, coke over or quarry, nor in manufacturing or packing tobacco, nor in any concert hall, or theater stage, or other exhibition or show.

No child under 16 shall be employed in any mill, factory or manufacturing establishment for more than 6 days, or 60 hours a week, or 11 hours a day; nor between 6 p. m. and 6 a. m.

No child between 16 and 18 shall be detained in any mill, factory or manufacturing establishment for more than 8 hours in any one night.

No woman, or boy under 16, shall be employed in or about any mine.

No child under 16 shall be employed in any factory, mill or mercantile establishment, unless such child attend school 8 weeks in each year of employment, 6 weeks of which shall be consecutive.

No child under 16 shall be employed unless he first present an employment certificate issued by the school authorities. Such certificates must contain proof of the age of the child and that he has

attended school for at least 60 days in the preceding year. Schools must be provided in the vicinity of factories employing children.

Factories must be inspected without previous notice at least four times a year.

No boy under 12, nor girl under 18, in any city of 25,000 or over, shall sell newspapers or engage in any street trade. Provided, that boys over 10 may distribute newspapers on routes. No boy under 16 shall engage in street trading between 8 p. m. and 5 a. m., nor unless he wear a badge issued by the school authorities.

Seats must be provided in every store or shop where girls or women are employed and their use permitted to such employees when not actively engaged in work.

After October 1, 1917, school attendance will be compulsory on all children between 8 and 15 for eighty days in each school year, unless the child shall have completed seven grades, or unless the services of the child are necessary for its own support or for the support of a widowed mother or disabled father.

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ARIZONA

According to the census tables of 1910, Arizona, with a population of 204,354, had 6,441 wage-earners employed in 311 manufacturing establishments. Of these, 38 were women and 37 children. It is evident that the need for labor legislation is not acute when the total number of women and child workers in factories does not reach 100. There is nevertheless a considerable volume of legislation for the protection of women and children. The following are the principal measures:

No boy under 18 shall be employed underground in mines.

No female and no boy under 16 shall be employed in or about any mine, quarry or coal-breaker.

No child under 14 shall be gainfully employed during school hours.

No boy under 16 or girl under 18 shall work at any gainful occupation, other than farm work or domestic service, for more than 48 hours a week or eight hours a day, or between the hours of 7 p. m. and 7 a. m.

No child under 14 may work in or about or in connection with any mill, factory, workshop, mercantile establishment, tenement house manufactory or store, business office, telegraph or telephone office, restaurant, bakery, barber shop, bootblack stand or parlor, apartment house, or in the distribution or transportation of merchandise or messages. Provided that boys between 10 and 14 may be licensed by boards of school trustees to sell papers or perform work not harmful physically or morally, out of school hours.

No child under 16 shall be allowed to work near dangerous machinery nor among dangerous chemicals, nor in any laundry, distillery, brewery, nor in any place where alcoholic liquors are handled or sold, nor in any other employment forbidden by the State Board of Health as dangerous to life, limb, health or morals of children under 16.

No woman or minor shall be employed in bar-rooms.

No boy under 10 nor girl under 16 shall be permitted to sell papers or merchandise on the streets.

No telegraph or messenger boy under 21 shall be permitted to work between 10 p. m. and 5 a. m.

Parents and guardians must send children between 8 and 16 to public school, or to private school with competent instructor, for the whole time that the public schools are in session.

No female shall be employed or permitted to work in any mercantile establishment, confectionery store, bakery, laundry, hotel, restaurant, telegraph or telephone office, more than eight hours a day or 56 hours a week. The eight hours must be comprised within a limit of 12 hours each day and at least one hour must be allowed for meals in the working period. Provided that where six days only are worked, ten hours may be worked on one day in the week—the ten hours to be within the 12 hour limit.

Females shall not be employed, permitted or suffered to work in any 13 capacity compelling constant standing. Chairs must be provided in the proportion of at least two chairs to every three women, accessible to the women, and their use shall be freely permitted.

There is a provision in the laws for issuing certificates to children between 14 and 16, and no child under 16 is permitted to work without holding such certificate.

ARKANSAS

Until 1915 Arkansas was almost without legislation regulating the employment of women. In that year a law was enacted creating an Industrial Welfare Commission with power to fix minimum rates of wages, maximum hours of labor and standard working conditions. Until the Commission should arrive at determinations, the hours of labor of women in manufacturing, mechanical, or mercantile establishments, laundries, or express or transportation companies were restricted to 9 hours a day and 54 a week. The minimum wage rate was fixed at \$1.25 for female workers of six months' experience and \$1 for inexperienced workers.

Other laws affecting working women and children are:

No woman and no boy under 14 shall be permitted to enter any mine to work therein, nor shall any boy under 16, unless he can read and write, be allowed to work in the mine.

No child under 14 shall be employed or allowed to labor in any remunerative occupation except for parents or guardians in vacations.

No child under 16 shall work in any dangerous occupation; nor one injurious to health or morals; nor where intoxicating liquors are sold; nor in any theater or show.

No child under 16 shall be employed who has not passed four yearly grades in the public school or the equivalent thereof.

No child under 16 shall be employed about dangerous machinery, acids or gases; in soldering; in dusty occupations; on scaffolding; in building trades, funnels or excavations, mines, coal breakers, coke ovens or quarries, bowling alleys or pool or billiard rooms; nor in other dangerous or injurious occupations.

No child under 16 shall work more than 48 hours in a week, nor 8 hours in a day; nor between 7 p. m. and 6 a. m.

No child under 18 shall work more than 54 hours in a week nor 10 hours in a day; nor between 10 p. m. and 6 a. m.

Before employment, children shall have certificates from the school authorities, showing age and educational standing.

Children between 8 and 16 must attend school not less than half the time the public school is in session in any one year, unless the labor of such child is necessary for its own support, or for the

support of widowed 14 mother or disabled father, and unless such child has completed the seventh grade.

In every manufacturing, mechanical, mercantile and other establishment where girls or women are employed, there shall be provided, and conveniently situated, seats sufficient to comfortably seat such girls or women, and during such times as they are not required by their duties to be upon their feet, they shall be allowed to use the seats.

CALIFORNIA

Since the adoption of equal suffrage in California, some remarkable experiments have been made in regard to legislation for the protection of women and children. The most important regulations are not to be found in the statute book. They have been made by the California Industrial Commission, created in 1913, which is given the power over hours and conditions of work of women and minors, as well as power to fix minimum rates of wages. The principal laws dealing with the labor of women and children are as follows:

No minor under 15 shall be employed, permitted or suffered to work in or in connection with any mercantile establishment manufacturing establishment, mechanical establishment, workshop, office, laundry, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor.

Provided that on regular weekly school holidays and during the regular vacation of the public schools, minors over 12 and under 15 may be employed if provided with vacation permits issued by the school authorities. And provided that a child over 14 and under 13 may be employed if he has completed the prescribed grammar school course and is physically fit for the labor contemplated, or when the earnings of such minor are necessary in order that his family may support such minor and that sufficient aid cannot be obtained in any other manner.

No child under 16 shall be employed or permitted to work at or around dangerous machinery, or upon any railroad or boat; nor about or in connection with any processes in which dangerous chemicals are used; nor in any mine, quarry, coal breaker, coke oven, nor in manufacturing or packing tobacco, nor in operating automobiles, nor in any bowling alley, pool room, nor in any other occupation dangerous to life or limb, or hazardous to health or morals of such child.

Power is given to the Bureau of Labor Statistic to decide, after due hearing, whether any particular trade process or occupation is dangerous to life, limb, health or morals of children and after such decision such process or occupation is prohibited to children under 16.

No minor under 18 shall be employed more than 8 hours in one day or 48 hours in one week, except when it is necessary to make repairs to prevent the interruption of the ordinary running of machinery, or when a 15 longer day is worked one day a week for the sake of making a shorter day's work for another day in the week.

No minor under 18 shall work between the hour of 10 p. m. and 5 a. m.

No minor under 18 shall be employed or permitted to work as a messenger for any telegraph, telephone or messenger company in the distribution or delivery of merchandise or message, between 9 p. m. and 6 a. m.

Careful provision is made for the issuing and safeguarding of school certificates to children between 15 and 16, and school certificates cannot be issued until employment has been secured. School attendance is obligatory on all children under 16 except those in possession of such certificates. "Nothing in this act," reads one of the provisions of the Children's Act of 1915, "shall be construed to prohibit the employment of minors, of 16 or over, at agricultural, horticultural, viticultural or domestic labor. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural or domestic labor, during the time that the public schools are not in session, or during other than school hours." It is expressly stated that canning is not included in these employments.

No boy under 10 or girl under 18 shall be employed, permitted or suffered to work at any time in connection with the street occupations of peddling, boot-blackening, the sale or distribution of newspapers, periodicals, or circulars, nor in any other occupation pursued in the streets or in public places in cities of over 23,000, according to the last census.

The exhibition, use or employment of children under 16 in any business, exhibition or vocation injurious to health, or dangerous to life or limb is prohibited; also such occupation as begging, singing, playing, dancing or gymnastic exhibitions; and the use of children for any indecent or immoral purpose. A child may obtain from the mayor of a city or the president of the board of trustees of a town or city a permit to appear in a concert or other musical entertainment.

The Constitution of California contains a provision that “no person, on account of sex, shall be disqualified from entering upon or pursuing any lawful business, vocation or profession.”

There is also a law that every person employed in any occupation of labor shall be entitled to one day's rest in seven, whether such work be performed by day or by night.

Other laws affecting women are:

No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement, restaurant, or telegraph or telephone establishment or office, or by any express or transportation company more than eight hours during any twenty-four hours, or more than forty-eight hours in any one week. Provided that these provisions shall not apply to harvesting, curing, canning or drying of any perishable fruit or vegetable, not to graduate nurses in hospitals.

Every employer in any manufacturing, mechanical or mercantile 16 establishment, laundry, hotel or restaurant, or any other establishment employing females shall supply suitable seats for all female employees and shall permit them to use such seats when not actively engaged in the duties of their employment.

The Industrial Commission established by Ch. 324, 1913, consists of five members “of whom at least one shall be a woman,” the term of each is five years, and not more than two end their term in the same year.

The duties of the commission are to ascertain wages, hours and conditions of labor in all employment in which women and minors are engaged and to make investigations into the comfort, health, safety and welfare of such women and minors. After full investigation the Commission is empowered to fix minimum rates of wages for women and minors “which shall not be less than a wage adequate to supply to such women and minor the necessary cost of proper living and to maintain the health and welfare of such women and minors.”

The Commission is also empowered to fix the maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in the State, provided that the hours so fixed shall not more than the maximum now or hereafter fixed by law; and also standard conditions of labor demanded by the health or welfare of the women and minors.

After public hearing, wages, hours or conditions of labor determined by the Commission are made mandatory on employers, and any employer failing to conform to the orders of the Commission becomes guilty of a misdemeanor punishable by fine or imprisonment or both.

COLORADO

Colorado, like California, has a commission for fixing the minimum rates of wages to women and minors. The powers of the Colorado Commission are, however, limited to this sole purpose, and the Commission is not given authority over hours of labor or healthful conditions of employment.

The principal laws affecting working women and children are as follows:—

No child under 16 may be employed in any underground works or mine or in or about the surface works thereof, or in any smelter, coke oven, or near any dangerous machinery, or among or near dangerous acids and chemicals.

No female child under 10 shall sell or distribute newspapers, periodicals, or any article or merchandise, or engage in any other business on the streets of any town or city.

No child under 14 shall be employed or suffered to work in any theatre, or place of amusement where intoxicating liquors are sold; or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, factory or workshop, or as a messenger therefor within this State.

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No child under 14 shall be employed at any work for wages or compensation during any portion of any month when the public schools are in session, nor be employed between the hours of 8 p.m. and 7 a.m.

Children under 14 may be employed in fruit orchards, gardens, fields or farms, within the hours permitted by the law, on obtaining a certificate from the superintendent of schools.

No person having the care or custody of a child under 16 shall permit such child to be used or employed as an actor or performer in any concert hall or theatre where intoxicating liquors are sold, nor in any variety theatre, nor for any indecent or immoral purpose, nor in any place, situation, exhibition or vocation dangerous to life, limb, health or morals of such child.

Employers of children between 14 and 16 must keep registers of all minors, and no child under 16 may be employed until the employer has received a certificate from the school superintendent permitting such child to work.

No child over 14 and under 16 shall be employed who cannot read at sight and write legibly simple sentences, unless such child is attending evening school.

All children between the ages of 8 and 16 must attend a public, private or parochial school during the entire year that the public schools are in session. Provided that children between 14 and 16 who have completed the eighth grade or are eligible to enter high school, or any child whose aid is necessary for its own or its parents' support may be relieved from the provisions of this act.

All children over 14 and under 16 who cannot read and write the English language must attend school at least half of each school day, or attend a public night school or receive instruction from some capable person.

No person under the age of 16 shall be permitted to work at any gainful occupation more than 48 hours in any one week, nor more than eight hours in one day, nor after the hours of 8 p. m.

No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant in this State more than 8 hours during the 24 hours of any calendar day.

Ch. 128, 1913, provides for the inspection of establishment in which food is prepared, provision of decent toilet facilities and wash-rooms, and for the enforcement of sanitary conditions in all such premises where operatives, employees, clerks or other persons are employed.

Seats suitable for the use of the women shall be provided in all manufacturing, mechanical, or mercantile establishments, and their use shall be permitted when the women are not necessarily engaged in the active duties for which they are employed.

Ch. 110, 1913, provides for the creation of an industrial commission of three persons—of whom at least one shall be a woman, to enquire into the wages paid to women and minors under 18 and, "if the board or any member of it may have reason to believe the wages paid any such employees 18 are inadequate to supply the necessary cost of living maintain them in health and supply the necessary cost of living, maintain them in health and supply the necessary comforts of life," the board shall undertake an inquiry. After due investigation the board is empowered to fix minimum rates of wages, whether by time or piece, and to send the order to all employers concerned.

A right of appeal is given to employers, but while such appeal is pending the new rates must be paid, and when confirmed by the court the new rate is made obligatory on employers, and to pay less is made a misdemeanor, punishable by fine.

CONNECTICUT

As one of the cotton manufacturing states of New England, Connecticut has a large number of women and children working in her factories. A strenuous but unsuccessful attempt was made during the legislative session of 1915 to obtain the passage of a law shortening the working week for women and children from 55 hours to 52 ½ hours.

The labor code for women and children includes the following laws:

No child under 16 may be used, employed or exhibited for the vocation or purpose of rope or wire walking, dancing, peddling or as a gymnast, rider or acrobat, or in any business or employment injurious to the health or dangerous to life or limb of such child, nor for any obscene, indecent or immoral purpose whatsoever.

No minor under 16 and no woman shall be employed in any manufacturing or mechanical establishment for more than 10 hours a day, or 55 hours a week.

No minor under 16 and no woman shall be employed in any mercantile establishment more than 58 hours a week. Provided that merchants who give at least 7 days' holiday in the year with pay shall be exempt from this provision between December 17 and 25.

No person under 16 shall be employed in any manufacturing or mechanical establishment after 6 p.m., and no minor shall be employed in any mercantile establishment after 6 p.m. more than one day a week, except between December 17 and 25.

No minor and no female shall be employed in any mercantile establishment after 10 p.m. (There is no provision against the employment of females between midnight and 7 a.m.)

No child under 14 shall be employed in any mechanical or mercantile or manufacturing establishment.

No child under 16 shall be employed in any mechanical, mercantile or manufacturing establishment, unless he shall first have obtained a certificate from the school authorities, stating that he can read

and write, 19 can perform operations of the fundamental rules of arithmetic and is physically fit for employment.

Children between 7 and 16 must attend school regularly during the time that the public schools are in session. Provided that children between 14 and 16 who have obtained certificates of fitness may be exempt so long as they are regularly employed.

No child under 16 shall be employed or permitted to oil or clean machinery in motion or to work near dangerous machinery or among dangerous acids or chemicals; nor in any mine or quarry; nor in any brewery or distillery, nor in any establishment where intoxicating liquors are handled or sold.

No woman or minor may be employed in saloons.

No female under 16 shall be permitted to work in any employment requiring constant standing.

Every person or company employing females in any mercantile, mechanical, or manufacturing establishment shall provide suitable seats for the use of all females so employed and shall permit the use of these seats by the females when they are not actively engaged in the duties for which they are employed.

It is unlawful knowingly to employ a woman, or permit her to be employed, in any factory, mercantile establishment, mill or workshop within four weeks before or for four weeks after her confinement.

Any child in good physical condition between the ages of 14 and 16, may obtain a certificate for temporary employment during the school vacations.

DELAWARE

The two worst loopholes in the labor laws of Delaware are (1) that the 14-years age limit does not apply to canneries; and (2) that while the age limit for children working in factories, work-shops, offices, etc., is 14, it is possible for children to be employed without limit of age if their wages are accounted necessary for their own support or that of their families. The labor code for women and children includes the following laws:

No child under 12 shall be employed or permitted to work in any canning or packing establishment, other than those engaged in canning perishable fruits or vegetables.

No child under 14 shall be employed or permitted to work in, about or in connection with any mill, workshop, factory, mercantile or mechanical establishment, tenement house manufactory, office, boarding house, hotel, bakery, barber shop, bootblack stand, public stable, garage, laundry, or as a driver or in the transmission of messages.

No child under 14 shall be permitted to work in any business or service whatever during the hours when the public schools of the district are in session.

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No child under 14 shall be permitted to work near or about dangerous machinery.

No child under 15 shall be permitted to work among dangerous chemicals or gases; nor in the building trades; nor in any tunnel or excavation, nor in, about or in connection with any mine, coal breaker, coke-oven or quarry; nor in any other occupation dangerous to the life, limb, health or morals of such child; nor shall any child under 16 be employed on the stage of any theatre or concert hall, or in any other exhibition or show, except for two weeks with a permit from the child labor inspector.

The State board of health is given power to decide whether any employment or occupation is dangerous for children and should be prohibited.

Children between 14 and 16, before obtaining employment, must have certificates, giving age and school record, and testifying that the child is physically fit, and can read and write simple sentences in English.

No person under 21 shall be employed in any saloon or bar-room.

No boy or girl under 16 shall be permitted to work in any mill, factory, office, etc., for more than six days, or fifty-four hours in any one week, or before the hour of 7 a.m. or after 6 p.m.

In cities of 20,000 or over, no person under 18 shall be employed as a messenger between 10 p.m. and 6 a.m.

No boy under 12 and no girl under 14 shall sell or distribute newspapers or periodicals in the streets or public places, in cities of 20,000 or over.

No boy under 14 and no girl under 16 shall in any city of 20,000 or over, be employed as a bootblack or in any trade or occupation in the street or in public places or in the distribution of handbills or circulars.

No boy under 14 or girl under 16 shall sell or distribute newspaper in the street or public places, unless he or she complies with laws concerning school attendance and obtains a permit and badge from school authorities.

No child under 16 who has a permit shall sell, distribute or offer for sale any newspaper or periodical. or work at any street trades. After 8 p.m. or before 6 a.m., nor during hours when school is in session.

In any case where the labor of a child under the age specified is necessary to assist in the support of itself or of its family, a permit may be obtained for such child to work.

Children between 7 and 14 years of age must attend school for at least 5 months in the year.

The employment of children as acrobats or gymnasts or in any indecent or immoral occupation or exhibition is prohibited.

The law requires the provision of seats for women, and also of proper washing and toilet facilities in all places where ten or more women are employed.

The hours of labor of women in Delaware in any mercantile, mechanical or manufacturing establishment, laundry, bakery, printing or 21 telephone or telegraph office or exchange are limited to 10 a day or 55 a week. If any part is between 11 p. m. and 7 a. m., the limit is 8 hours a day. On one day in the week it is legal to work women for 12 hours. Canneries are exempted from this law.

DISTRICT OF COLUMBIA

Laws affecting women and children, in force in the District of Columbia are the direct work of the U.S. Congress. Most of these laws have been passed since the opening of the twentieth century, and their passage is a proof of the new humane interest in the country in this form of legislation.

The chief provisions are as follows:

The use of any child under 14 as an acrobat, gymnast, circus rider, ropewalker, or in any exhibition of a like dangerous character, or as a beggar, street singer, or street musician, is prohibited.

No child under 14 shall be employed or permitted to work in any factory, workshop, mercantile establishment, store, business office, telegraph or telephone office, restaurant, hotel, apartment house, club, theatre, bowling alley, laundry, bootblack stand, or in the distribution or transmission of merchandise or messages. No such child shall be employed in any work for wages during the hours when the public schools of the District are in session, nor between 7 p. m. and 6 a. m. Provided that this section shall not apply to children in the service of the Senate; and provided that children between 12 and 14 whose labor is necessary for their support, or for the support of disabled, ill or invalid father or mother, or younger brother or sister, may obtain from the judge of the juvenile court permits for employment in labor not dangerous to their health or morals.

Children between 14 and 16, before going to work, must obtain age and schooling certificates, to be issued by the superintendent of schools.

No minor under 16 shall be permitted to work in any of the above-mentioned establishments for more than 8 hours in any one day, or between 7 p. m. and 6 a. m., or more than 48 hours a week.

No male child under 10 or female under 16 shall exercise the trade of bootblack, or sell newspapers, magazines or merchandise of any description on the streets or in any public place. No male child under 16 may engage in street trading until he has received a permit and badge from the superintendent of schools. No child to whom a permit and badge have been issued shall engage in street trading between 10 p. m. and 6 a. m.

Seats must be provided in all stores, shops, offices and manufactories where females are employed, and their use must be permitted.

Every child between 8 and 14 must receive regular instruction in the elementary branches of knowledge, and to this end must attend some public, private or parochial school, during the customary hours and days of the school term.

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FLORIDA

Florida is one of the states which has not passed any law limiting the hours of work of women. Its code for women and children applies exclusively to children under 16. It includes the following laws:

Any person hiring or employing a child under 15 for more than 60 days must have the consent of the parent or guardian.

No child under 12 shall work in any store or office, or in the transmission or sale of merchandise or transmission of messages in city of 6,000 or over.

No boy under 10 or girl under 16 may sell or distribute newspapers or periodicals in the streets of any city of 6,000 or over.

No child under 14 shall be employed in any mill, factory, workshop, mechanical establishment, laundry or on the stage of any theatre.

No child under 16 shall be permitted to be employed in any mill, factory, etc., unless he have a certificate from the superintendent of schools or some person authorized by him, furnishing evidence that such child is over 14 and that he has regularly attended school for not less than 60 days during the year previous to application.

No child under 16 shall be employed for more than 6 days a week, nor more than fifty-four hours a week, nor more than nine hours a day, nor between 8 p. m. and 5 a. m.

No person under 21 shall be employed in any saloon or bar-room.

No person under 18 shall be employed as a messenger for telegraph or telephone companies, or in the distribution of goods, between 10 p. m. and 5 a. m.

No child under 16 shall be employed near or about dangerous machinery, nor as pin boys in bowling alleys, nor among dangerous acids or chemicals, nor in any occupation dangerous to life, limb, health or morals of such child. Suitable wash rooms and toilet facilities must be provided where any person under 16 is employed, also seats must be provided for girls under 16.

No child under 14 may be employed in singing, playing, as an acrobat or gymnast, nor for any indecent or immoral purpose, nor in any business or occupation dangerous to life and limbs of such child.

Merchants, storekeepers or employers of male or female clerks, salesmen, cash boys or cash girls must provide suitable seats for use of such employees and permit reasonable use of such seats.

GEORGIA

The protection accorded to women and children by the laws of Georgia is grudging and inadequate, but considerable advance has been made in this respect since 1910. As they now stand the laws are as follows:

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No child under 12 shall be allowed to labor in or about any factory or manufacturing establishment.

No child under 14 shall be so allowed to labor unless such child be an orphan without other means of support, or unless his labor is necessary for the support of widowed mother, or aged or disabled father.

No child under 14½ shall be so allowed to labor between 7 p. m. and 6 a. m.

No child under 14½—except as aforesaid—shall be so allowed to labor unless he or she can write his or her name and simple sentences, and shall have attended school in the previous year for twelve weeks, of which six shall be consecutive.

The hours of labor of all persons and employed in cotton or woollen factories except engineers, firemen, watchmen, mechanics, teamsters, clerical help and yard employees, shall not exceed 60 a week, or ten a day, or the same may be regulated by the employers so that they do not exceed sixty a week. (Employees are permitted to work extra time to make up lost time caused by unavoidable circumstances—a proviso which makes strict enforcement of the law impossible.)

No minor under 16 shall be employed in work of the messenger service between 9 p. m. and 6 a. m.

The hours of labor by all persons under 21, in all manufacturing establishments other than cotton and woollen mills shall be from sunrise to sunset, with customary time for meals.

Seats must be provided for females in all mercantile, mechanical, and manufacturing establishments, and their use permitted.

No boss in any factory shall inflict corporal punishment on minor laborers.

No child under 12 shall be sold, apprenticed, given away or hired out, for rope or wire walking, or as a gymnast, acrobat, or for any indecent or immoral exhibition or practice.

Every parent or guardian having control of a child between 8 and 14 years of age, not exempt or excused, shall cause said child to attend school continuously for four months in a year; provided that no child shall be required to attend school, if he has completed the fourth grade, or if his services are necessary for the support of his parents or of other members of his family, or if his family is too poor to provide him with the necessary books and clothing, or if his health is unsuitable, or if he lives more than three miles from any public school, or in any case where for other good reason the board of education shall have excused such child from attendance at school. Such board of education are authorized to take into consideration the seasons for agricultural labor and the need for such labor, in exercising their discretion as to the time for which children shall be excused from attendance at school.

IDAHO

In 1915 Idaho appointed a Commission to investigate wages and conditions of labor of women and children, and to report on 24 the advisability of constituting a Minimum Wage Board. No report had been made up to the end of 1916.

Idaho had in 1910, in all manufacturing industries including the preparation of foods, 155 women operatives over 16, and 30 boys and girls under 16. The employment of children is carefully safeguarded. The following are the principal laws:

No child under 14 shall be employed or suffered to work in or in connection with any mine, factory, store, workshop, mercantile establishment, telephone or telegraph office, laundry, hotel, or boarding house, or in the transmission of messages, or merchandise.

It is unlawful to employ any child under 14 in any business or occupation during the hours that the public schools are in session, or between 9 p. m. and 6 a. m.; but children over 12 may be employed during regular vacations of two weeks or more of the public schools.

No minor under 16 shall be employed in any gainful occupation during the hours that the public schools are in session, unless he can read at sight and write simple sentences in English and has received instruction in spelling, grammar or geography, and is familiar with the fundamental operations in arithmetic.

No person under 16 shall be employed or permitted to work at any gainful occupation more than 54 hours in a week of 9 hours a day, nor between 9 p. m. and 6 a. m.

No person having care or control of child under 16 shall permits its use or employment as acrobat or gymnast, or for singing or playing on any musical instrument, or for any indecent or immoral purpose.

No minor shall serve liquor, or be sent into any saloon, gambling house or other immoral place, or be employed where liquors are made or bottled.

Every child between the ages of 8 and 18 must attend school during the entire time that the public schools are in session. Provided that this shall not apply to children over fourteen who have completed the 8th grade or are eligible to enter high school, or where the help of such child over fourteen is necessary for its own use or its parents' support.

No female shall be employed in any mechanical or mercantile establishment, laundry, hotel, restaurant or telegraph or telephone office or by any express or transportation company more than 9 hours a day. An exception is made for females employed in harvesting packing, curing or canning any perishable fruit or vegetable.

Seats must be provided in every establishment where females are employed, and their use must be permitted.

ILLINOIS

Illinois has a quite extensive code of labor laws for women and children. The principal laws are as follows:

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No person shall be precluded or debarred from any occupation, profession or employment (except military) on account of sex: Provided that this act shall not be construed to affect the eligibility of any person to an elective office. Nothing in this act shall be construed as requiring any female to work on streets or roads, or to serve on juries.

No child under 14 shall be permitted to work at any gainful occupation in any theatre, concert hall or place of amusement where liquor is sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, elevator factory or workshop, or as a messenger or driver therefor. No child under 14 shall be employed in any work for wages or other compensation during any portion of any month when the public schools are in session, or between the hours of 6 p. m. and 7 a. m.

No child shall be allowed to work more than eight hours in any one day.

Minors over 14 and under 16 must have school certificates before being allowed to go to work. Certificates must be approved by the superintendent of schools and must state age of child, and testify to his ability to read and write simple sentences, or that such child is attending evening school.

No child under 16 may work at any gainful occupation more than 48 hours in any one week, or eight in one day, or between 7 p. m. and 7 a. m.

No child under 16 shall be permitted to work at or near dangerous machinery or in mines, or among dangerous chemicals, or in any other employment that may be considered dangerous to life or limb, or where health may be injured, or morals depraved; nor shall females under 16 be employed in any capacity that keeps them constantly standing.

No minor child may be employed in selling or distributing literature devoted to the publication or made up of criminal news or stories of bloodshed, lust or crime.

No child under 14 may be employed or exhibited in such occupations as rope or wire walking, singing, begging or playing on any musical instrument, or as an acrobat or gymnast, or in any business dangerous to life or limb.

Children between 7 and 16 must attend school during the whole time that the public schools are in session, which must be not less than six months of actual teaching, unless the child is between 14 and 16 and is necessarily and lawfully employed during school hours.

No female shall be employed in any mechanical or mercantile establishment, or factory, laundry, hotel or restaurant, or telegraph or telephone office or by any express or transportation company, or in any public institution, more than ten hours in any one day. The hours may be arranged to permit the employment of females at any time.

Illinois has laws regulating employment bureaus and sweatshops. The sweatshop legislation is especially designed to secure sanitary conditions.

The principal laws of the State of Indiana controlling the work of women and children are as follows:

No male person under the age of 14, or female of any age, shall be permitted to enter any mine for the purpose of employment therein.

No person under 16 and no female under 18 shall be allowed to clean machinery in motion.

No child under 14 shall be employed in any gainful occupation other than farm work or domestic service, except that children between the ages of 12 and 14 may work in the business of preserving and canning fruit and vegetables from June 1 to October 1 of each year.

No child under 16 shall be employed or permitted to work, other than in farm work or domestic service, for more than 48 hours in a week or 8 hours a day, unless the employer have the written consent of parent or guardian; in no event shall any child work at any gainful occupation, other than farm work or domestic service, more than 54 hours a week or 9 hours a day.

No child under 16 shall be employed, except in farm work or domestic service, between 6 p. m. and 7 a. m.

No child under 16 shall work in any tobacco warehouse or factory where tobacco is manufactured, or in any place of amusement, or in any employment where his health or morals may be injured or impaired.

No boy under 16 or girl under 18 shall work in any brewery, or distillery, saloon, concert-hall, or other place where malt or alcoholic liquors are sold or handled; or in dipping, dyeing or packing matches, or among explosives.

No girl under 18 shall be employed in any capacity requiring constant standing.

No child under 16 shall be employed near or at dangerous machinery.

No child under 15 may be employed or used for the purpose of exhibition as a gymnast, acrobat, or rider, or for any obscene, illegal or indecent exhibition, or any vocation injurious to the health, or dangerous to the life or limbs of such child, or for the purpose of prostitution.

No minor child under the age of 18 shall be hired out for the purpose of singing, playing on any musical instrument, or begging.

No child under 15 shall be permitted to sing, dance, or in any way exhibit in any concert, saloon, theatre, or place of entertainment where alcoholic liquors are sold or given away.

All children between the ages of 7 and 16 must attend school regularly during the time that public schools are in session. This section does not apply to children between 14 and 16 who are legally at work; such children must have certificates from the school authorities stating age, and showing that the child has passed the fifth grade or its equivalent.

No female between 16 and 18, employed in any mercantile or manufacturing establishment, laundry, bakery or printing office, shall be required or permitted to work more than 60 hours a week, or ten hours a 27 day, unless for the purpose of making a shorter day on the last day of the week.

A register must be kept of all children employed between the ages of 14 and 16.

No woman or female young person shall be employed in any capacity for the purpose of manufacturing, between 10 p. m. and 6 a. m.

Seats must be provided for women and girls employed in any business in this State and the use of these seats must be permitted.

Suitable washrooms and toilet rooms must be provided for female workers in factories.

IOWA

Iowa has as yet no laws controlling night work for women, or limiting the hours of work or women either by the day or week. The labor code as affecting women and children is as follows:

No person under 14 shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughter house or packing house, or in any store or mercantile establishment where more than eight persons are employed, or in the operation of any elevator, or livery stable or garage, place of amusement, or in the distribution or transmission of merchandise or messages. Provided that nothing in this section shall be construed as prohibiting a child from working in any of the above establishments when such are owned or operated by their own parents.

No person under 16 shall be employed at any work or occupation by which his health may be injured or his morals depraved; or among explosives; or in or about any mine during the school term, hotel,

howling alley, pool or billiard room, or in occupations dangerous to life or limb, and no female under 21 shall be employed in any capacity compelling her to remain constantly standing.

No boy under 11 nor girl under 18 shall, in any city of 10,000 or more inhabitants, engage in street trading. Provided that in exceptional cases permits for street trading may be issued to boys under 11. Boys between 11 and 16 must have permits and badges before engaging in street trading, the permit must state that the boy is regularly attending school and that his occupation does not interfere with such attendance.

No person under 16 shall be employed, at any the places or in any of the occupations mentioned in section 1 between 6 p. m. and 7 a. m., nor shall such person be employed more than 8 hours a day, or 48 hours a week; nor shall any person under 18 be employed in the transmission or delivery of goods or messages between 10 p. m. and 5 a. m. in cities of 10,000 or more inhabitants.

Every child between 14 and 16, before entering any employment must obtain certificates containing evidence of age, and the school record of the said child. The record must show that the child can read and write and has completed 6 grades, and that he is physically fit for the employment proposed.

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Children between 7 and 16 must attend school for at least 24 school weeks in each school year. This section does not apply to children who live more than two miles from school, unless the pupils are transported at the public expense; nor to a child over 14 who is regularly employed; nor to a child who is excused for sufficient reason by a court of record; nor while receiving religious instruction.

No person under 16, and no female under 18, shall be permitted to clean machinery in motion. Children under 16 shall not be permitted to operate any dangerous machinery.

Seats must be provided for females employed in mercantile. And manufacturing businesses, and their use must be permitted to such females.

No female shall be employed in places where intoxicating liquors are sold.

KANSAS

An Industrial Welfare Commission was established in Kansas at the session of 1915. It has power to regulate labor conditions for women and minors, to fix rates of wages and to limit the hours that may be worked in the various employments. Its preamble reads:

“That the State of Kansas declares the inadequate wages, long continued hours and unsanitary conditions of labor exercise a pernicious effect upon the health and welfare of women, learners and apprentices and minors. That it shall be unlawful to employ women, learners and apprentices and minors in any industry or occupation within the State of Kansas under conditions of labor detrimental to their health or welfare, and it shall be unlawful to employ women, learners and apprentices and minors in any industry at wages which are not adequate for their maintenance and for more hours in any one than is consonant with their health and welfare.”

Employers have the right to an appeal to the district court against a ruling of the commission, but after any ruling concerning either rates of wages, hours of labor or conditions of work has been confirmed, it is a misdemeanor punishable by fine to violate the regulations. The act took effect May 22, 1916; but it is still too recent to be able to judge of its working.

Other laws referring to working hours and conditions of women and children include the following:

No person under 14 shall be allowed to work in any coal mine; nor any minor between the ages of 14 and 16 unless he can read and write, and unless he has a certificate showing that he has attended school three months in the year.

No child under 14 shall be employed or suffered to work in, or in connection with, any factory, workshop, not owned or operated by the 29 parents of said child, theatre or packing house; or operating elevators, or in or about any mine. It shall be unlawful for any person, firm or corporation to employ any child under 14 in any business or service whatever during the hours in which the public school in the district is in session. It shall be unlawful for children under 16 who are employed in the several vocations mentioned in this act, or in the transmission of merchandise or messages, to be employed between 6 p.m. and 7 a.m. or more than 8 hours a day or 48 hours a week.

No person under 16 shall be employed at any occupation or in any place dangerous or injurious to life, limb, health or morals.

Children under 16 must have school certificates before going to work.

No child under 14 may be used or employed as an acrobat, gymnast, circus rider, or in any exhibition of a dangerous character, or as a beggar or street musician.

All children between 8 and 15 are required to attend school. Provided that a child of 14 who can read and write the English language, and who is regularly employed shall not be required to attend school for more than 8 consecutive weeks in a year.

Seats must be provided for female employees in every mercantile establishment, store, shop, hotel, restaurant or other place where women and girls are employed, and the use of these seats must be permitted.

KENTUCKY

Kentucky, which was one of the backward states in legislation for the protection of women and children, passed a comprehensive children's act in 1914. There is still need for further legislation for workers over 16. The laws as they now stand include the following provisions:

No child under 14 shall be permitted to work in, or in connection with any factory, mill, workshop, mercantile establishment, store, office, printing establishment, bakery, laundry, restaurant, hotel, theatre, or in the transmission of merchandise or messages. It shall be unlawful to employ any child under 14 in any business or service whatever during any part of the term during which the public schools of the district are in session. Nor shall any child under 14 be permitted to appear on the stage of any theatre or other place of amusement whether for pay or not.

Children between 14 and 16 before obtaining employment must have certificates from the local school authorities showing age, and showing that the child has attended school for not less than 100 days in the year previous, and that he is able to read and write simple sentences in English, and has completed the first five grades of the public schools, including arithmetic up to and including common fractions, and is physically fit.

No child under 14 shall be employed in any of the work specified above for more than six days a week or eight hours a day or 48 hours a week nor between 6 p. m. and 7 a. m.

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No child under 16 shall be employed at or about dangerous machinery or among dangerous acids, gases or chemicals; or in any tunnel or excavation, or on scaffolding, or in or about any mine, coke-oven, or quarry; or in manufacturing or packing tobacco; or in operating automobiles; or in any bowling alley, pool or billiard room; or in any place where liquors are handled or sold, or in any other occupation dangerous to the life or limb, or injurious to the health or morals of such child.

No person under 18 shall be allowed to clean machinery in motion, and wherever persons under 21 are employed in mechanical establishments, belt-shifters and other safety devices must be provided.

In cities of the first, second and third class, no person under 21 shall be employed as messenger for any telegraph or telephone or messenger company, in the distribution, transmission or delivery of messages or merchandise between 9 p. m. and 6 a. m.

No female under 21 shall be suffered to work in any capacity requiring constant standing.

No boy under 14, or girl under 18, shall be suffered to work in any city of the first, second or third class in street peddling, bootblacking, or the distribution or sale of newspapers, periodicals or circulars, nor in any other occupation pursued in any street or public place.

Boys between 14 and 16, before engaging in any street trade, must obtain a badge from the authorities empowered to issue employment certificates, and may then work between 6 a. m. and 8 p. m., but at no other time.

No female under 21 shall be employed at any gainful occupation, except domestic service and nursing, more than 60 hours a week or 10 hours a day.

No female of any age shall be employed in any laundry, bakery, factory, or workshop, store, mercantile, manufacturing or mechanical establishment, hotel or restaurant, telephone exchange or telegraph office more than 60 hours a week or ten hours a day.

Seats must be provided in all places where women are employed in the proportion of at least one seat to three females, and their use must be permitted.

Proper washrooms, toilets and dressing rooms must be provided for female employees.

LOUISIANA

Louisiana made a forward step in 1914 by passing a compulsory education law. The law was greatly needed, as Louisiana had the highest rate of illiteracy in the United States—28% for males and 30.1% for females—as against 2.6 per cent for males and 1.6 for females in Idaho; or 2.2 for males and 1.4 for females in Oregon. The laws affecting the labor of women and children include the following provisions:

No child under 14 shall be permitted to labor in any mill, factory, mine, packing house, manufacturing establishment, workshop, laundry, millinery or dressmaking stores, or mercantile establishment, or hotel, restaurant or in any theatre or concert hall, or other place of amusement where intoxicating liquors are made or sold; or in any bowling alley, bootblackening establishment, elevator; or in the transmission or distribution of merchandise or message, or in any other occupation whatever. The provisions of this act shall not apply to agricultural pursuits.

Children between 14 and 16 seeking employment must have age certificates.

No child or person under 18, and no woman, shall be employed in any of the occupations enumerated for longer than 10 hours a day or 60 hours a week. Provided that this shall not apply to persons working in stores on Saturday nights, nor for 20 days before Christmas.

No boy under 16 and no girl under 18 shall be employed at any work between 7 p.m. and 6 a.m.—except on Saturday nights in stores, and for 20 days before Christmas.

No minor and no woman shall be required to clean machinery in motion.

Seats or benches must be provided for female employees and their use permitted.

No minors under 17 shall be permitted within or be employed in any place where pool or billiard games are operated.

No child under 16 may be used or exhibited as a gymnast, acrobat, dancer or singer, or in any wandering occupation, or in any indecent or immoral exhibition, or practice, or in any practice or place dangerous to the life, limbs, health or morals of such child

Parents and guardians of children between 8 and 14 in cities of over 25,000 inhabitants, the Parish of New Orleans excepted, must send such children to the public school, or other school, continuously for at least four months of each year, provided that separate schools for the races are open to receive such minors for so long, otherwise it shall be sufficient to send such minors to schools during the public school term. This act shall not apply when a minor is the sole dependence of infirm persons, or of a mother or sisters in necessitous circumstances. In the Parish of New Orleans children between 8 and 14, and between 14 and 16 unless legally employed, or unless they have completed all the grades in the elementary schools, must attend school through the entire school session.

Men living upon the wages or personal earnings of their wives or minor children shall, if able to work, be punished as vagrants.

No female shall be employed in any concert hall or saloon to distribute, or appear among the audience or frequenters, for the purpose of distributing, or taking orders for liquors.

MAINE

Maine made a notable advance in protective legislation for women and children in the session of 1915, but the law did not come into force until it was ratified by popular vote in September, 1916. Before the passage of the law of 1915 the state was decidedly backward. It now ranks fairly with the other New England states. The chief provisions of the law are as follows:

No boy under 16 and no female shall be employed in any workshop, factory, manufacturing or mercantile establishment for more than 9 hours a day, except that longer may be worked in order to make a shorter day one day in the week, and in no case shall the hours be more than 54 a week.

No minor under 16 shall be so employed between 6 p.m. and 6.30 a.m.

No boy under 16 and no female shall be employed in any telephone exchange with more than 3 operators, or in any mercantile establishment, restaurant, telegraph office, or by any express or transportation company, more than 54 hours a week, except from December 17 to 24 inclusive, and for 8 days before Easter in millinery or other stores.

Nothing in this law shall apply to manufacturers or business the materials and products of which are perishable goods and require immediate labor to prevent damage.

The laws previously in force include the following provisions:

No child under 14 shall be employed in any manufacturing or mechanical establishment. No child under 14 shall be employed at any service for hire during schools hours.

No minor between 14 and 16 shall be employed in any manufacturing or mercantile establishment unless he first present a certificate from the school authorities stating age, and that he can read and write simple sentences in English and perform the fundamental processes of arithmetic, and that he is physically fit for the proposed employment.

Children between 14 and 16 may be employed during school vacations, after first obtaining certificates.

Children between 7 and 15, and between 15 and 17, if unable to read and write, must attend school during the entire time that the public schools are in session.

No child under 16 may be used or exhibited for begging or soliciting alms, or in any indecent or immoral exhibition, or if idiotic or insane, or possessing any deformity or unnatural physical formation, or in any practice, or place, dangerous or injurious to the life, limbs, health or morals of the child.

Seats must be provided for girls and women employed in any mercantile establishment, shop, store, hotel, restaurant, or other place where women are employed as help or clerks.

There is no law in Maine controlling street trading for children or night work for women.

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MARYLAND

Maryland amended its child labor laws in 1912. The greatest defect in its present code is the lack of regulation for the canning industry. The chief provisions of the laws are as follows:

No person under 14 shall call for or deliver any telegram or other messages, nor shall one under 16 do so between 8 p. m. and 8 a.m. No minor person shall call for or deliver any telegram or other message at any house of ill repute or questionable character.

In cities of 20,000 or over, no person under 18 shall be permitted to work as a messenger for telegraph, telephone or messenger company in the transmission of goods or message between 10 p. m. and 6 a. m.

No child under 14 shall be permitted to work in, about or in connection with any mill, factory, workshop, mechanical establishment, tenement house manufactory, office, restaurant, bakery, barber shop, hotel, apartment house, bootblack stand, stable, garage, laundry, or as a driver or in any brick or lumber yard or in the construction or repair of buildings, or as a messenger for telegraph, telephone or messenger companies.

No child under 12 shall be employed in connection with any canning or packing establishment, store, office, boarding house, place of amusement or in the distribution or sale of merchandise.

No child under 14 shall be suffered to work for hire in any business or service whatever, when the public schools of the district are in session, unless such child shall have fulfilled such requirements as to school attendance as may be prescribed by law.

No child under 16 may work at dangerous machinery, or in any capacity about or near dangerous or poisonous acids, chemical gases or dust; nor on scaffolding, heavy work in building, or in tunnel or excavation nor in or about any mine, coal breaker, coke-oven or quarry; nor in the manufacture or packing of tobacco; nor in operating any automobile, nor in a pool or billiard room, nor in any other occupation dangerous to the life and limbs, or injurious to the health or morals of such child, nor shall any child under 16 be employed on the stage of any theatre or concert hall in connection with any entertainment or show.

Children between 14 and 16 must have certificates of age and literacy before going to work. To obtain a certificate a child must show that he can read intelligently and write legibly simple sentences in the English language. The certificate must also contain a statement that the child has regularly attended school for not less than the minimum period prescribed by law after attaining the age of 13, and that he has completed the fifth grade of studies, and is physically fit.

No child under 18 shall be permitted to work in, about or in connection with blast furnaces, docks or wharves, or in the outside crection of electric wires, or in the running of elevators, emery wheels, dynamos, or buffing or polishing wheels; or as brakeman, engineer, motorman or 34 conductor on railroads, or as pilot or engineer on boats; or among explosives; or where liquor is made or handled, or in any theatre or place of amusement where intoxicating liquors are sold.

No minor under 21 shall be employed in any saloon or bar-room.

No boy under 12 or girl under 16 shall sell newspapers or periodicals in any public streets in any city having a population of 20,000 or more.

No boy under 14 nor girl 16 shall work as a bootblack or in any other trade or occupation, except newspaper selling, in the streets and public places in cities of 20,000 or more.

Boys under 10 and girls under 16 selling newspaper must have badges, to be obtained on proof of age and attendance at school.

No child under 16 may sell or distribute newspapers or periodicals or work at any trade or occupation in public places between 8 p. m. and 6 a. m., nor during the hours when the public schools are in session.

Children between 8 and 14 must attend school during the entire time that the public schools are in session in the district, unless they are receiving adequate introduction elsewhere. Minimum period of schooling four months in each year.

No female shall be employed or permitted to work in any manufacturing, mechanical, mercantile, printing, baking or laundering establishment more than 10 hours in any one day nor more than sixty hours a week, nor more than 8 hours in one day if any part of her work is done between 10 p. m. and 6 a. m. Provided that in Alleghany county any person subject to this act in whose establishment the average working day for the year does not exceed 9 hours a day and in which the entire working force is employed on full time during the entire year, and for a period of not less than four months has working day for employees of less than nine hours, may for a period not exceeding six weeks employ their employees for not more than twelve hours a day to meet seasonal demands.

But the provisions of this act shall not apply to female employed in canning or preserving perishable fruits and vegetables.

No child under 16 shall be employed in laboring more than ten hours a day in any manufacturing business or factory in the State, nor in any mercantile business in the city of Baltimore.

No child under 14 may be used or employed as an acrobat or gymnast, a beggar or street singer.

No person shall employ a minor under 16 in handling intoxicating liquors or in any brewery or bottling establishment where liquors are prepared or offered for sale.

No person performing on musical instruments or engaged in street peddling may be accompanied by any boy or girl under 8 years of age.

In every retail, jobbing or wholesale drygoods store, notion, millinery or any other business where any female salespeople are employed, a seat shall be provided for each one of such female help, and they shall not be forbidden to avail themselves of any opportunity of rest not interfering with their duties.

MASSACHUSETTS

Massachusetts has passed more laws dealing with the hours and conditions of labor of women and children than any other state. This is due to the fact that the problem of the working woman and the working child first became acute in the cotton industry of New England, of which the principal center are in Massachusetts. The difference in the size of the problem presented in Massachusetts and in the equal suffrage states is indicated by the figures of the 1910 census. The total number of women and children working in factories in all the eleven full suffrage states in 1910 was 28,217—26,165 females over 16 and 2,052 boys and girls under 16. In Massachusetts in the same year the numbers were 173,280 females over 16 and 20,735 children under 16. The chief provisions of the labor code for women and children in Massachusetts are as follows:

No person under 18 shall be employed in bar-rooms to serve liquor to be drunk on the premises, nor shall any minor under 18 be employed in handling intoxicating liquors in a brewery or bottling establishment in which such liquors are prepared or offered for sale.

No child and no woman shall be employed in laboring in a mercantile establishment more than 58 hours a week.

No child under 18 and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing or mechanical establishment, telegraph or telephone exchange or by any express or transportation company more than ten hour a day and in no case shall the hours of labor exceed 54 in any week, except that in seasonal manufacturing the number of hours may exceed 54 but not 58, provided that the total number of such hours in the year, exclusive of Sundays and holidays shall not exceed an average of 54 a week. If any child or woman be employed in more than one such place the total number of hours shall not exceed 54 a week.

Hours of labor shall be posted, and employment of women and children outside of posted hours shall be deemed a violation of the law, unless it appears that such employment was to make up time lost on a previous day of the same week, or in consequence of the stopping of machinery upon which such person was employed.

Any parent, guardian or employer who permits a child to be employed in violation of the law is punishable by fine of between \$50 and \$100.

No woman or minor may be employed in any capacity for the purpose of manufacturing between 10 p.m. and 6 a.m. No woman or minor shall be employed in the manufacture of textile goods between 6 p.m. and 6 a.m.

No child under 14 shall be permitted to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment, barber shop, bootblack stand, public stable, garage, brick or lumber yard, telephone exchange, telegraph or messenger office, or in the construction or repair of buildings, or in any contract or wage-earning industry carried on in tenement or other houses. No minor under 14 shall be employed for wages or other compensation during the hours that the public schools are in session, or before 6.30 a.m. or after 6 p.m.

Children between 14 and 16 must have certificates before being allowed to go to work, provided that children between 14 and 16 may work between 7 a.m. and 6 p.m. on Saturdays without such certificates. Before obtaining a certificate the child must have the promise of employment, must show that he or she is 14 years of age, and in good health and able to perform the work he intends to do. The school record must state the grade last completed, and the number of weeks that the child attended school in the year previous and the record shall not be issued unless the child has attended school for not less than 130 days after becoming 18 years of age.

School attendance officers may visit factories, workshops, stores, etc., to ascertain if any children are working contrary to law.

No child over 16 and under 21 shall be employed in any factory, store, etc., unless his employer has on file an educational certificate, showing age and ability to read, write and spell in the English language. If the child has not this ability he must attend evening school and present to his employer each week a record of such attendance.

Women and young persons employed in a factory shall be allowed their meal time at the same hour, and no such persons shall be employed during the meal hour in tending machinery, or doing the work of other women or young person as well as their own.

Seats must be provided for women and young persons in any manufacturing, mechanical or mercantile establishment, and the use of the seats be permitted.

Children under 14 are prohibited from cleaning machinery in motion.

No child under 15 may be employed or exhibited in dancing, wire walking, circus, gymnastic or acrobatic performances.

No woman shall be knowingly employed in laboring in a mercantile, manufacturing or mechanical establishment within two weeks before or four weeks after childbirth.

Women and children working in workshop for the altering or repairing of garment shall not be employed for more than 56 hours a week.

Except for the delivery of messages directly connected with publishing a newspaper to a newspaper office, or between newspaper offices, no person under 21 shall be employed as a messenger for a telegraph, telephone, or messenger company in the distribution of messages or merchandise between 10 p.m. and 5 a.m.

The State Board of Health shall investigate core rooms where women are employed, and make rules regulating the employment of the women. The rules shall relate to the structure and location of the rooms, the 37 emission of gases, and the size and weight that women shall be allowed to lift or work on.

Women employed in the State bathhouses shall receive the same scale of wages as the men attendants when performing similar work.

No minor under 16 may be employed on dangerous machinery nor on scaffolding, or on tobacco, nor in any tunnel nor in bowling alleys or billiard rooms.

The State Board of Labor and Industries may determine whether any trade or process is sufficiently dangerous or sufficiently injurious to the health or morals of children under 16 to justify their exclusion therefrom. No child under 16 shall be permitted to work in an occupation thus determined to be dangerous or injurious.

No minor under 18 may work in or about a blast furnace, hoisting machine, in oiling or cleaning dangerous machinery in motion, at a buffing wheel, at switch tending, track-repairing, as a brakeman, foreman, engineer, motorman, or conductor; fireman or engineer, in or about explosives, yellow phosphorous, or alcoholic liquors; nor in any occupation determined to be dangerous or injurious to minors under 18 by the State Board of Labor.

No person under 21 may be employed in any saloon or bar-room where alcoholic liquors are sold. No such person in any employment shall be taken or sent to any disorderly house or immoral place of amusement.

No minor under 16 shall be employed in any mercantile, manufacturing or mechanical establishment, or any employment prohibited to children under 14 for more than six days a week or 48 hours a week, or 8 hours a day, or between 6 p.m. and 6:30 a.m.

No boy under 18 or girl under 21 shall be employed in any such establishment for more than 6 days a week, or 10 hours a day or 54 hours a week, nor between 10 p.m. and 5 a.m.

No boy under 12 nor girl under 18 shall sell newspaper or merchandise on the streets of any city of 50,000 or over.

No boy under 16 may sell newspapers or act as bootblack unless he has complied with the law concerning school attendance and has obtained a badge; nor may any boy sell newspapers between 9 p.m. and 5 a.m.

Every child between 7 and 16 must attend the public school or some other approved school during the entire time the public schools are in session; provided that children between 14 and 16 who have obtained employment certificates and who are at work for at least six hours a day or have completed the 4th grade are not subject to this provision.

When a town or city shall have provided continuation schools for the education of minors between 14 and 16 who are at work in the day, the school committee may require the attendance of such minors for not less than four hours a week, such hours to be between 8 a.m. and 6 p.m. and to be reckoned as part of the hours that minors are permitted by law to work.

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MICHIGAN

The following are the principal provisions of the Michigan labor code as it applies to women and children:

No male under the age of 18 and no female shall be employed in any factory, mill, warehouse, workshop; clothing, dressmaking or millinery establishment, or any place where the manufacture of any kind of goods is carried on, or where any goods are prepared for manufacturing, or in any laundry, store, shop or other mercantile establishment, for longer than an average of nine hours a day or 54 a week, nor more than 10 hours in any one day. Provided that this law shall not apply to any person engaged in preserving or canning perishable fruits or vegetables.

No female under 18 shall be employed in any manufacturing establishment between 6 p.m. and 6 a.m. No child under 16 shall be employed in any manufacturing establishment or workshop, mine or messenger service in this State between 6. p.m. and 6 a.m. No child under 18 shall be employed between 10 p.m. and 5 a.m. in the transmission of messages or merchandise.

No child under 21 shall be employed in any theatre, concert hall or place of amusement where intoxicating liquors are sold. No child under 14 shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, theatre ,workshop, telegraph or messenger service. A register must be kept of all children employed in any of the above places, when between the ages of 14 to 16, and such children must secure employment certificates before going to work. Employment certificates must contain proof of age and school record of such child. The child must have regularly attended the public school, or schools equivalent, for not less than 100 days during the year previous to his being 14, or the year previous to applying for certificate, and he must be able to read and write simple sentences in English and do the work of the 6th grade. The child must report monthly to the person issuing the certificate and show that he is regularly employed.

No female under 21; nor male under 18 shall be allowed to clean machinery in motion, nor to be employed in or about any brewery, distillery, or other establishment where alcoholic liquors are manufactured, packed, bottled or wrapped, nor in any hazardous employment where their health may be injured or morals depraved, nor shall females be unnecessarily required in any employment to remain standing constantly. No child under 16 shall be employed in any theatre, variety show, moving picture show or other playhouse, music or dance hall, pool or billiard room. Children in traveling theatrical companies are exempt from this act.

All persons who employ females in stores, shops, offices or manufactories, as clerks, assistants, operatives or helpers in any business, trade or occupation are required to provide seats for all such females, and permit the use of them at reasonable times.

No person shall employ or permit any girl or woman to act as 39 bar-keeper, or to serve liquor, or furnish music or for dancing in any saloon or bar-room where intoxicating liquors are sold.

No child under 16 shall be used, exhibited, or employed in or for the vocation of rope walking, gymnast or acrobat, or for dancing, or begging or for any indecent or immoral occupation or any exhibition injurious to health or dangerous to life or limb.

No person shall give to any minor child, or employ any child to sell or distribute any book or pamphlet containing obscene language or pictures or descriptions tending to the corruption of the

morals of youth, or newspapers devoted to the publication of criminal news. Any person so doing shall be deemed guilty of a misdemeanor.

Any truant officer when satisfied that any child within his jurisdiction, required by law to attend school, is unable to do so because his services are required for his own support or to assist in the support or care of others legally entitled to his services, such persons being unable to care for themselves, such truant officer shall report the case to the Board of Education which may grant such relief as will enable the child to attend school during the whole school year. For this purpose such board shall pay during the school year to the family of the child a sum not to exceed three dollars a week nor more than six dollars a week for the children of any one family. Said money to be paid out of the fund for the maintenance of public schools.

Every child between 7 and 16 shall attend the public schools or some equivalent school during the entire school year. Exceptions:—Any child who has received an eighth grade diploma from the public schools; any child over 14 whose services are essential to the support of his parents, and who is excused on the recommendation of the Board of Education; provided that he is regularly employed at some lawful work.

MINNESOTA

The Minnesota laws for the protection of women and children rank fairly high among those of the male-suffrage states. Minnesota has an Industrial Commission with power to fix minimum rates of wages for women and children. It has also a system of pensions for mothers. The principal provisions of the labor code, as it affects women and children, are as follows:

No child under 14 shall be employed or permitted to work in or in connection with any factory, mill, workshop, or in any mine; or in the construction of any building or about any engineering work; it shall be unlawful to employ or exhibit any child under 14 in any business or service whatever during any part of the time that the public schools are in session.

Children between 14 and 16, before going to work, must obtain certificates from the school authorities. The certificates must attest the age and physical development of such child, and so certificate shall be granted unless the child is able to read and write simple sentences in the English language.

No person under 16 shall be permitted to work at any gainful employment for more than 48 hours in any one week, or eight hours a day, nor between 7 p.m. and 7 a.m.

No child under 16 shall be employed at sewing or adjusting belts, or oiling or cleaning machinery, nor at dangerous machinery, nor in preparing any composition in which dangerous acids are used, nor in the manufacture of paints, colors or white lead; nor in operating elevators; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, nor in any other employment dangerous to life, limbs, health or morals, nor in any theatre, concert-hall, saloon or place of amusement or bowling alley.

No boy under 18 shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution of goods or messages between 9 p. m. and 5 a. m.; and no girl under 21 shall be thus employed at any time.

No minor shall be allowed in any room where intoxicating liquor is sold.

No female shall be employed in a mercantile establishment, lunch room, restaurant or eating house for more than 10 hours a day or 58 hours a week. Females may be employed not more than 11 hours on Saturday, but not more than 58 hours in the week.

No female shall be employed in any manufacturing or mechanical work more than 9 hours in any one day, or 54 hours in any one week, or in any telephone or telegraph establishment more than 9 hours in any one day or 54 hours a week in cities of the first and second class. Provided that a different apportionment of hours may be made for the sole purpose of giving a shorter day's work for one day in the week; and further provided that the provisions of this act shall not apply to employment required in canning or preserving perishable fruits, grains or vegetables where the period of operating requiring such employment does not exceed six weeks in duration.

No woman shall be required or permitted to oil or clean moving machinery.

Seats must be provided for females employed in mercantile, manufacturing, hotel or restaurant business, and their reasonable use permitted—such use as may be necessary for the preservation of health of such females.

Every child between 8 and 16 years of age shall attend school during the entire time that the public schools are in session. Provided that any child above 14 whose help is required in or about the home of his parents or guardian, may be excused from attendance between April 1 and November 1; but this provision shall not apply to cities of the first and second class.

No child under 18 may be employed or exhibited as a rope or wire walker, gymnast, acrobat, or in mendicancy, or in any indecent or immoral exhibition, or in any practice or exhibition dangerous

or injurious to life, limb, health or morals, or in any labor or any kind outside the family of his residence between 6 p.m. and 7 a.m.; or as a messenger to any known house or prostitution or assignation.

Every person who shall torture, torments or cruelly or unlawfully punish a child under 16 shall be guilty of a misdemeanor.

No female under 16 shall be employed in any capacity in which such employment complete her to remain constantly standing.

MISSISSIPPI

Mississippi passed a child labor law in 1912; but as yet the state has made little provision for the protection of women workers. The chief provisions of the law of 1912, as amended in 1914, are as follows:

No girl under 14 nor boy under 12 shall be employed or permitted to work in any mill, factory, manufacturing establishment or cannery.

No boy under 14 or girl under 16 shall be employed or permitted to work in any cotton or knitting mill more than eight hours in any one day, or forty-eight hours in any one week, or be employed in or detained in any such establishment between 7 p.m. and 6 a.m.; but all other employees of cotton or knitting mills may be employed and may be permitted to work not more than 10 hours a day of 60 hours in any one week.

No boy under 16 nor girl under 18 shall be employed or detained in mill, cannery or manufacturing establishment, other than cotton or knitting mills, for more than 8 hours a day or 48 hours a week, or between 7 p.m. and 6 a.m.

It is provided in the act of 1912 that the act shall apply only to manufacturing establishment engaged in manufacturing or working in cotton, wool or other fabrics and to canneries and manufacturing establishment where children are employed indoors at work injurious to health, or in operating dangerous machinery, but the provisions of the act shall not apply to fruit canneries.

Children under 16, before being employed must present certificate of age and statement of school attendance, on the affidavit of parent or guardian.

It shall be unlawful for any person, firm or corporation engaged in manufacturing or repairing to work their employees more than 10 hours a day or 60 hours a week, except in cases of emergency or where public necessity requires.

In 1916 the 10-hour law was amended to permit employers to work their employees 10 hours and 30 minutes the first days a week, the total working week not to exceed 60 hours. By the same amendment it was made lawful for nightworkers to work 11 1/4 hours each night the first five days of the week and 3 3/4 hours on Saturday.

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All person who are able to work and do not work, but hire out their minor children or allow them to be hired out, and live upon their wages, shall be punished as vagrants.

MISSOURI

For the men of Missouri, eight hours constitutes a legal working day, and this limitation is strict in regard to mines and smelters. For the women a nine-hour day is the best that the law has yet provided, and this limit does not apply to the canneries. Nevertheless, the labor code of Missouri as it applies to women and children compares favorably with those of most of the male suffrage states. Its chief provisions are as follows:

No child under 14 shall be employed in any gainful pursuit except agriculture or domestic service.

No child under 16 shall be employed in any gainful occupation for more than 48 hours in a week, nor 8 hours in a day, nor between 7 p.m. and 7 a.m.

No child over 14 and under 16 shall be employed without first presenting a certificate issued by the school authorities, giving age and school record, and certifying that the child has attended school regularly and is able to read and write simple sentences in English.

No boy under 10 and no girl under 16 shall sell or offer for sale any newspapers, periodicals or merchandise in any street, hotel, railway station, place of public amusement, place where intoxicating liquors are sold, or public office.

No child under 16 shall be allowed to work at dangerous machinery, nor in oiling or cleaning machinery; nor in the preparation of any composition in which dangerous acids or alkalis are used; nor in dipping or packing matches, or manufacturing or packing explosives, or goods for immoral

purposes; nor in any place where alcoholic liquors are manufactured, or bottled, hotel, concert hall, pool or billiard room, wholesale drug store, saloon or place of amusement, nor in bowling alleys, nor in any other employment declared by the State factory inspector to be dangerous to the life, limbs, health or morals of children under 16.

Seats must be provided for females employed in manufacturing, mechanical or mercantile establishment, and their use must be permitted.

No female shall be employed as servant, bar-tender, waiter, dancer or singer in any place where alcoholic liquor is sold at retail.

No child under 14 may be employed or exhibited in rope or wire walking, as an acrobat or gymnast, or for any obscene or immoral purpose, or in any occupation injurious to the health or dangerous to the life or limb of such child.

Every child between 8 and 14 must attend regularly some day-school during at least three-fourths of the entire time the school is in session. All children between 14 and 16 who are not regularly employed in some lawful occupation shall attend school regularly.

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No female shall be employed in manual or physical work in any manufacturing, mechanical, or mercantile establishment or factory, workshop, laundry, or bakery or restaurant, or any place of amusement, or to do any stenographic or clerical work of any character in any of the divers kinds of establishments herein above described, or by any express or transportation or public utility company or corporation, or by any public institution for more than 9 hours a day or 54 a week. Provided that operators of canning or packing plants in rural communities, or in cities of less than 10,000 inhabitants, wherein perishable farm products are canned or packed, shall be exempt from the provisions of this law for a number of days, not to exceed ninety in one year. This law does not apply to telegraph or telephone companies.

MONTANA

According to the census of 1910, Montana had 189 women and girls over 16 and 30 children under 16 at work in manufacturing industries. The smallness of the numbers affected accounts for the fact that Montana has not yet a complete factory code. It must also be remembered that until November, 1916, Montana women had no opportunity to elect a legislature. The laws affecting working women and children are as follows:

It shall be unlawful to employ children under the age of 16 underground in mines.

No child under 16 may be employed in any service or labor, whether under contract of employment or otherwise, in, on or about any mine, mill, smelter, workshop, factory, railroad, elevator, or where any machinery is operated, or for any telephone, telegraph or messenger company, or in any occupation not enumerated here which is known to be dangerous or unhealthful, or which may be detrimental to the morals of said child. Employers, parents and guardians are all rendered liable for the breach of this law.

Children on attaining the age of 16 may apply for a school certificate on the presentation of which they may obtain employment.

Parents and guardians must instruct, or cause to be instructed, the children under their charge in reading, writing, English grammar, geography, physiology and hygiene, and arithmetic. All children between 8 and 14 must attend school for the full time that school is in session, in no case less than 16 weeks during any year.

All children between 14 and 16 not engaged in some regular employment shall attend school for the full term that the public schools are in session. No child under 14 shall be employed by any person or corporation while the public schools are in session, unless such child present an age and schooling certificate containing satisfactory proof of his age and that he has finished the school course, or if between 14 and 16, that he can read intelligently and write legibly the English language. All minors 44 between 14 and 16 who cannot read and write intelligently shall attend school regularly.

No child under 16 shall be used or employed for any begging, rope-walking, dancing, peddling, or any mendicant business whatever.

No female shall be employed in any manufacturing, mechanical or mercantile establishment, telephone exchange or office, or telegraph office, laundry, hotel or restaurant for more than 9 hours a day. Provided that for one week before Christmas females may be employed in retail stores not over ten hours a day. And provided that overtime at extra compensation shall be allowed, where life or property is in imminent danger.

Suitable seats must be provided for female employees in manufacturing, mechanical or mercantile establishments, laundries, hotels and restaurants and other establishments employing females, and their use must be permitted.

NEBRASKA

Nebraska is one of the states where a fight was made to declare unconstitutional a statute limiting the hours of work of women. The laws affecting working women and children are as follows:

No female shall be employed in cities of over 5,000 in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, restaurant or office, or by any public service corporation more than 9 hours in a day or 54 hours a week. The hours of each day may be arranged to permit employment at any time between 6 a. m. and 10 p. m., but no female may be employed between 10 p. m. and 6 a. m. Provided that public service corporations may employ females between 10 p. m. and 6 a. m., but such employment shall not be for more than eight consecutive hours.

Every employer in stores, factories, offices and schools shall provide seats for females therein employed and shall permit their use.

No child under 14 shall be employed in any theatre, concert hall or place of amusement, or in any place where intoxicating liquors are sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, elevator, factory, or workshop, or as a messenger or driver. It shall be unlawful to employ any child under 14 in any occupation or business whatever, during the hours that the public schools are in session.

No child between 14 and 16 shall be employed in any of the foregoing establishments, unless his employer procures and keeps on file a certificate from the school authorities. This certificate shall attest the age and physical fitness of such child, and that he can read and write simple sentences in the English language, and that he has attended school for at least three-fourths of the school year previous to arriving at 14 years of age, or previous to applying for such certificate. It shall also state the work of the child as measured by the school grade attained. Regular attendance at a public evening school for the three evenings a week and 20 45 weeks in the year is required where a child under 16 has not completed the 8th grade.

In school districts, other than city school districts, children between 7 and 15 must attend school during each school year for a period of not less than twelve weeks, and if the public school of the district be in session for more than twelve weeks, for not less than two-thirds of the whole time the school is in session, in any case not less than twelve weeks. In cities children between 7 and 16 must attend school during the entire time the public schools are in session, or must have equivalent instruction elsewhere. Provided that children between 14 and 16, who are legally employed, are

exempt from the provisions of this act, but such children may be required to attend evening school for not less than two hours on each of not less than three days a week for a period of not less than twenty weeks a year.

No child under 16 shall be employed in any work which by its nature or by the place of its performance is dangerous to life or limb, or injurious to health or morals.

No person under 16 shall be employed or suffered to work in any theatre, concert hall, or place of amusement or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, packing house, bowling alley, elevator, factory, workshop, beet field, or as a messenger or driver therefore more than 48 hours in any one week or more than 8 hours a day, nor between 8 p. m. and 6 a. m.

No child between 14 and 16 shall be exempt from school attendance unless for physical or mental incapacity to profit by school instruction, or unless his services are necessary for his own support or the support of those legally dependent on him.

NEVADA

Nevada has the smallest number of women and children in industry of any state in the Union. According to the U. S. Census of 1910, there were 26 women and 9 children engaged in all the manufacturing establishments of Nevada. The laws relating to the employment of women and children are as follows:

All children between 8 and 16 must attend public school during the whole time that the schools are in session, unless satisfactory evidence is presented to the board of trustees that the child's labor is necessary for its own or its parents' support, or unless the child has completed the eighth grade.

No minors may be employed in bar-rooms.

No minor child may be employed in begging or in any mendicant occupation, in any indecent or immoral practice, or in any exhibition or practice dangerous or injurious to life, limb, health or morals, or as a messenger to any house of prostitution or assignation.

No boy under 14 or girl under 16 may be employed at any labor whatever in connection with any store, shop, factory, mine, or inside employment, nor connected with farm or housework, without the written permit of a judge of the county.

No child under 16 shall be employed in or about dangerous chemicals, dipping or packing matches, manufacturing goods for immoral purposes, nor in or in connection with any mine, coal breaker, quarry, smelter, laundry, tobacco warehouse or cigar factory; or any place where alcoholic liquors are manufactured, wrapped or bottled; nor in any employment declared by the State Board of Health to be dangerous to the lives or limbs, or injurious to health or morals of such children. No child under 16 shall be employed in glass furnaces, ore-reduction works, or in the erection of electric wires, in running elevators, in oiling dangerous machinery in motion, among explosives or in any other employment declared to be dangerous by the Board of Health of the State.

No person under 18 shall be employed as a messenger in the delivery of messages or merchandise between 10 p. m. and 5 a. m.

No boy under 16 or girl under 18 shall work at any gainful occupation, other than domestic service or farm work, more than 48 hours a week, or 8 hours a day. Both parents and employers are held liable for any breach of this law.

NEW HAMPSHIRE

The principal provisions of the laws affecting working women and children are as follows:

No girl or woman shall sell or serve liquor to be drunk on the premises; nor shall any male person under 21 sell or serve liquor except to bona fide registered guests in their rooms and in dining rooms with meals under licenses of the first class.

No child under 14 shall be employed in or in connection with any mill, factory, workshop, quarry, mercantile establishment, tenement house, manufactory, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand, or in the distribution of messages or merchandise.

No child under 16 shall work in any of the foregoing employments during the time the public schools are in session, unless he can read, understand and write legibly, simple sentences in English.

No boy under 10 nor girl under 16 shall sell newspapers, periodicals or merchandise in the streets or public places. No child shall work as a bootblack in any street or public place until he is over 10.

No person under 18 shall be employed as a messenger for a telegraph, telephone or messenger company, in the distribution of messages or goods between 10 p. m. and 5 a. m.

No boy under 16 nor girl under 18 shall be employed in any gainful occupation other than domestic or farm work more than 58 hours a week or 11 hours a day nor between 7 p. m. and 6:30 a. m. Except that minors over 16 may work in retail stores and telephone exchanges until 10 p. m. and boys 14 years and over may deliver newspaper route after 5 a. m. and boys over 12 may deliver newspaper routes between 4 and 8 p. m.

Children under 16 must present certificates from the school authorities before going to work. These certificates must state age of child, physical fitness, and school record. The school or other approved school, and that he is able to read understandingly and write legibly simple sentences in English and in physically fit.

No female and no minor shall be employed in any manufacturing or mercantile establishment, laundry, restaurant or confectionery store, or by any express or transportation company more than 10¼ hours during any one day or more than 55 hours a week. If any part of a female's daily employment is between 8 p. m. and 6 a. m. all the employment shall be considered night work, and no female employed at night work shall work more than 8 hours in the 24 hours of any one day or 48 hours a week. If the female is employed not more than one night after 8 p. m., she shall be permitted to work 55 hours a week.

Suitable seats must be provided for female employed in any manufacturing, mechanical or mercantile establishment and their use permitted.

No child under 14 may be employed or exhibited in dancing, playing on musical instruments, wire walking or as a gymnast or acrobat. Nor shall any minor be hired or permitted to sell or give away any literature or pictures devoted to accounts of lust or crimes.

NEW JERSEY

The New Jersey labor code for women and children is somewhat intricate and difficult to understand. The following are the principal provisions:

No child under 15 shall be employed or exhibited in rope or wire walking, or as a gymnast, acrobat or rider, or for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child, or for the purpose of prostitution, nor shall any minor child be retained or employed in any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place.

No minor child under 18 shall be hired out, apprenticed or otherwise disposed of for the purpose of singing, playing on musical instruments, begging or for any mendicant business in the public streets.

No minor child under 15 shall be permitted to sing, dance or act in any dance house, or in any concert saloon, theatre or place of entertainment where alcoholic liquors are sold or given away, or with which any place for the sale of alcoholic liquors is directly or indirectly connected by any passageway or entrance.

No child under 14 shall be employed in any newspaper plant, printery, 48 factory, workshop, mill, commercial laundry or place where manufacture of goods of any kind is carried on, or in any mine, quarry, or mercantile establishment.

Minors under 16 may be excluded from employment until they produce certificates of physical fitness.

No minor under 16 shall be permitted to work in occupational prohibited under 14 more than 8 hours a day, or 48 hours a week or before 7 a. m. or after 7 p. m.

No minor under 16 shall be permitted to clean machinery in motion.

Seats must be provided for female employers in all manufacturing, mechanical or mercantile establishments, and their use must be permitted.

No child under 14 shall be employed or permitted to work in a mercantile establishment during any of the hours that the public schools are in session.

No child under 16 shall be employed in connection with any mercantile establishment more than 8 hours a day or 48 hours a week or between 7 p. m. and 7 a. m.

Children under 16, or apparently under 16, must obtain permits from the supervisor of school exemption certificates before going to work, and employers must keep a register of all such children in their employment in mercantile establishments.

No person under 21 in cities of the first class, and no person under 18 in other municipalities shall work as a messenger for any telegraph, telephone, or messenger corporation in transmitting or delivering messages or merchandise or in the performance of any other service between 10 p. m. and 5 a. m.

No female shall be employed or permitted to work in any manufacturing or mercantile establishment, bakery, laundry or restaurant more than 10 hours a day or more than 6 days or 60 hours in any one week; provided that this shall not apply to any mercantile establishment for the six working days before December 25; and provided that nothing herein contained shall apply to canneries engaged in packing perishable fruits and vegetables.

Children between 7 to 16 must attend regularly a day school or receive equivalent instruction elsewhere; unless such child is over 14 and has received an age and schooling certificate, and is regularly employed in some lawful occupation. Such regular attendance must be during all the days and hour that the public schools are in session.

Age and schooling certificates are granted by the school authorities and must contain proof of age, of physical fitness and a school record showing that the child has regularly attended school (or received equivalent instruction) for not less than 130 days in the preceding year, and that he can read and write simple sentences in English and has completed the studies of the fifth grade.

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NEW MEXICO

New Mexico has done less than any other state in protecting working women and children; although in 1910, according to the United States Census, there were three states—Nevada, Arizona and Wyoming which had fewer women children working in industry than there were then in New Mexico.

The only laws on the state book of New Mexico concerning working women and children are the following:

No children under the age of 14 shall be employed in mines.

Children between 7 and 14 who do not attend some private or denominational school which is equal in its teaching to the public school must attend public school during the entire time such school is in session. This section does not apply to children of such physical disability as to unfit them for school duties or to children who live more than three miles from a public school.

It shall be unlawful for the owner of any saloon to permit any woman to sell drinks, to recite, dance, play on any musical instrument, to give any theatrical exhibition, or to drink or loiter in any saloon or apartment thereof. Nor is any minor under 21 permitted to loiter upon or frequent such premises.

NEW YORK

The complaint in New York has been rather of inefficient and lax administration of labor laws for women and children rather than of the laws themselves. The almost successful attempt in 1915 to lengthen the working day in the canneries to 12 hours—72 a week—shows the strength of the forces which are against strict enforcement of really protective laws.

The principal provisions of the code are as follows:

Every child between 7 and 14 in proper mental and physical condition to attend school shall attend school the entire time the school is in session, which shall not be less than 100 days of actual school.

Every child between 14 and 16 not regularly employed in lawful occupational shall attend school during the entire time the school is in session.

Every boy between 14 and 16 who is in possession of an employment certificate duly issued, who has not completed the course of study necessary for graduation from the elementary public shall attend public evening school or some equivalent school for not less than six hours a week for a period of not less than 16 weeks.

No child under 14 shall be employed in any business or service whatever for any part of the term during which the public schools are in session.

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No child between 14 and 16 shall be employed in any factory or mercantile establishment, business or telegraph office, restaurant, hotel, apartment house, or in the distribution or transmission of messages or merchandise, unless such child present an employment certificate issued by the school authorities. Such employment certificate shall contain a statement certifying that the child has regularly attended school in the year previous for not less than 130 days, and that he is able to read and write simple sentences in English, and has completed the work prescribed for the first six years in the elementary school. Such record shall also give the date of birth of the child and state that child is physically fit.

No child under the age of 14 shall be employed or permitted to work in, or in connection with any factory. No child between 14 and 16 shall be so employed unless his employment certificate be filed in the office of his employer. Provided that nothing herein contained shall prevent a person engaged in farming from permitting his children to do farm work for him on his farm. Boys over 12 may be employed in gathering produce for not more than 6 hours a day, subject to the requirements of the compulsory education law.

Employment certificates for children shall be issued by the commissioner of health or the executive officer of the board of health of the town or village in which the child resides, and shall include the school record of the child, showing that such child is a graduate of a public school or equivalent school having a course of not less than eight years, and documentary evidence of the age of the child.

No child under 16 shall be employed or permitted to work in any factory between 5 p.m. and 8 a.m. for more than 8 hours a day or more than six days a week. No male minor 16-18 shall be employed in any factory more than 9 hours a day, 6 days, or 54 hours a week, or between 12 p.m. and 4 a.m.

No female minor under 21 and no woman shall be employed in any factory more than six days or 54 hours a week, nor for more than 9 hours a day. No female minor under 21 between 9 p.m. and 6 a.m.

Where a female or male minor is employed in two or more factories or mercantile establishments in the same day or week, the total time of employment must not exceed that allowed in one single factory.

Provided, a female sixteen years and upwards may be employed more than 9 hours a day (a) regularly on not more than five days a week to make a short day or holiday on one of the six working days of the week; (b) irregularly on not more than three days a week. But no such person shall work more than 10 hours a day nor more than 54 hours a week.

The provisions relating to maximum hours shall not apply to male minors over 16 engaged in canning or preserving perishable products between June 15 and October 15.

Females 18 years and upwards may be employed in canning between June 15 and October 15 not more than 6 days or 60 hours a week, nor more than 10 hours a day, and the industrial board may extend this time to 12 hours a day and 66 a week if required by the needs of the industry and possible without serious injury to the health of the women so employed.

No child under 16 shall be employed or permitted to work on dangerous machinery, or in oiling or cleaning machinery, or among dangerous acids or chemicals, or explosives, or in any distillery, brewery or any establishment where alcoholic liquors are manufactured or packed.

No female under 16 shall be employed in any capacity requiring constant standing.

No child under 16 shall operate an elevator.

No person under 18 shall operate and elevator running at a speed of over 200 ft. a minute.

No male person under 18 or female under 21 shall be permitted to clean machinery in motion.

The industrial board may declare any particular trade or process dangerous or injurious to the health of minors under 18, and may adopt rules prohibiting or regulating the employment of such minors therein.

No female shall be employed at or in connection with the making of cores in any foundry where the oven is located in the same room where the cores are made. The industrial board shall adopt rules regulating the construction, equipment, maintenance and operation of core rooms, and the size and weight of cores that may be handled by women.

No female shall be employed in any factory, mercantile establishment or workshop within four weeks after she has given birth to a child.

No woman shall be permitted to work in any factory between 10 p. m. and 6 a. m.

No child under 16 and no female shall be employed in any mine or quarry.

No child under 16 shall be employed in any mercantile establishment, business office, telegraph office, restaurant, hotel, apartment house or place of amusement, bowling alley, barber shop, shoe polishing establishment, or in the distribution of messages of sale or distribution of merchandise more than 6 days, or 48 hours a week, or more than 8 hours a day, or between 6 p.m. and 8 .m. No female shall work in connection with any mercantile establishment more than 9 hours a day or 54 hours a week, unless for the purpose of making a shorter work day one day in the week or before 7 a.m. or after 10 p.m. This section does not apply to the employment of females over 16 on the days between December 18 and 25.

In cities of the first or second class no person under 21 shall work as a messenger between 10 p.m. and 5 a.m.

No child under 14 shall be employed on or in connection with any of the businesses mentioned in the preceding paragraph. No child under 16 shall so work unless such child first present an employment certificate.

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Seats must be provided for female employees in mercantile establishments, and seats with backs when practicable in factories and restaurants, and the use thereof permitted to such extent as may be necessary for the preservation of their health.

Women and children shall not work in basements of mercantile establishments unless so permitted by the Board of Health.

No boy under 12 and no girl under 16 shall sell newspapers or periodicals in the public streets of cities of the first, second and third class.

No male under 14 shall sell newspapers unless a permit and a badge have been issued to him by the school authorities; and no such child shall sell newspapers between 8 p. m. and 6 a. m.

No girl or woman and no minor under 18 shall sell or serve any liquor for consumption on the premises.

No child under 16 may be employed or exhibited as a rope or wire walker, gymnast, acrobat, or in any mendicant occupation picking rags or in peddling, singing, dancing or playing, or in any wandering occupation, or in any illegal, indecent, or immoral practice, or in any practice or place dangerous or injurious to life, limb, health or morals of the child.

No messenger boy may be sent knowingly to any disorderly house, unlicensed saloon, or other unlicensed place, where malt or spirituous liquors are sold.

Upon obtaining a permit and a badge, a boy over twelve may distribute newspapers but not between 8 p. m. and 6 a. m.

NORTH CAROLINA

In spite of the fact that North Carolina had in 1910, according to the U. S. Census, over 35,000 women and children at work in the factories, it is as yet very behindhand in its protective legislation. The principal provisions of the labor code for women and children are as follows:

All able-bodied men who shall live in idleness upon the wages or earnings of their mother, wife or minor child or children, except male child or children over 18, shall be deemed vagrants.

No minor under 12 shall be allowed to work in any mine.

No child under 12 shall be employed in any factory or manufacturing establishment, and no child between 12 and 13 shall be so employed except in an apprenticeship capacity and only then after having attended school four months in the preceding year.

No person under 16 shall be employed in any mill factory between 9 p. m. and 6 a. m.

No child under 13 shall be employed without a certificate from his parent or guardian setting forth his age and that he has attended school four months in the preceding year.

Every child between 8 and 12 must attend the local public school 53 continuously for four months in each year. This act shall not apply when the services of such child are necessary, on account of extreme poverty, for his own support or that support of his parents, or if the child is without the necessary clothing and books, and unable to procure them.

In all stores, shops, offices and manufacturing establishments, seats must be provided for female employees and their use permitted.

Not exceeding 60 hours shall constitute a week's work in all factories and manufacturing establishments. No woman and no minor shall be employed in such factories longer than 60 hours a week. No employee in any factory shall be worked longer than 11 hours a day. This provision does not apply to engineers, firemen, superintendents, or yard and office employees.

NORTH DAKOTA

North Dakota enacted a child labor law in 1911. Previous to that time there was little legal protection for women and children beyond the constitutional provision that "the labor of children under 12 shall be prohibited in mines, factories and workshop." The chief provisions of the labor code as it applies to women and children are as follows:

All children between 8 and 15, who reside in cities or school districts, must attend school during the entire time the public schools are in session, unless a child is actually necessary to the support of the family.

No child under 14 shall be employed in or in connection with any mine, factory, workshop, mercantile establishment, store, business or telegraph office, restaurant, hotel, apartment house, or in the distribution of merchandise or messages. No child under 14 may be employed in any service whatever during the hours that the public schools are in session.

No child between 14 and 16 may be employed in any such establishment unless he has an employment certificate which must be kept on file by his employer. The certificate, which must be issued by the school authorities, shall attest the age of the child and his school record, certifying that the child can read and write legibly simple sentences in English, and that he has regularly attended school for not less than 120 days in the year previous.

No child under 16 shall be employed gainfully more than 48 hours a week, or 8 hours a day, or between 7 p. m. and 7 a. m.

No child under 16 shall be permitted to clean or oil machinery, or to work at any dangerous machinery; nor among dangerous acids or chemicals; nor to operate any elevator; nor as pin boys in bowling alleys; nor in the manufacture of goods for immoral purposes; nor in any other employment dangerous to life or limb, health or morals; nor in any theatre or place of amusement where intoxicating liquors⁵⁴ are sold; nor shall any females under 16 be employed in any capacity requiring constant standing.

Every employer who, having control of any manufactory or workshop or place used for mechanical or manufacturing purposes, shall compel any woman or any child under 18, or shall permit any child under 14 to labor more than 10 hours in any day shall be guilty of a misdemeanor.

OHIO

Ohio amended its child labor law in 1914 but the changes made were inconsiderable. As the laws affecting women and children now stand, the principal provisions are as follows:

Every boy between the age of 8 and 15 and every girl between 8 and 16 must attend a public, private or parochial school for the full time such school is in session, which shall not be less than 28 weeks.

All children between 15 and 16 not engaged in some regular employment shall attend school for the full term.

No boy under 16 or girl under 18 shall be employed unless he or she first presents an age and schooling certificate. The certificate shall be issued by the school authorities on proof that such child, if male, is over 15, or if a female, over 16; the certificate shall contain the school record of such child and shall show that he has completed the sixth grade if a male, and the seventh grade if a female; and that such child is physically and mentally fit for the employment to be entered on. In case of children from other states, tests may be given by juvenile examiners in place of school records.

Special vacation certificates may be issued to boys under 16, and girls under 18, entitling the holders to be employed during vacation, even though they may not have completed the requisite school grades.

All minors over 15 and under 16 who have not passed a satisfactory sixth grade test must attend school.

Wherever continuation or evening schools have been established, all youths over 15 and under 16 who are in regular employment, who have not attained the eighth grade, shall attend such school for not more than 8 hours a week between 8 a. m. and 5 p. m.

When a child is unable to attend school because absolutely required to work at home or elsewhere for his own support or the support of those legally entitled to his services, the truant officer shall furnish text-books and such other relief as may be necessary to enable the child to attend school.

No child under 14 may be used or exhibited for the purpose of singing or playing on any musical instrument, or rope or wire walking, dancing, taking part in any performance in any theater or place of amusement, begging or peddling, or as a gymnast, acrobat, rider or contortionist, or any obscene, indecent or immoral practice, or in any vocation injurious to the health or dangerous to the life or limb of such child.

Whoever willfully permits the life or limb of a child under sixteen to be endangered, its health to be injured or its morals to become depraved, while actually in his employ, or permits such child to be placed in a position where such injury is likely, shall be fined not less than \$10 nor more than \$50 or imprisoned not less than 30 days nor more than 90 days.

It is forbidden to retain or withhold wages due to a minor for work performed because of presumed negligence or failure to comply with rules, breakage of machinery, or alleged incompetence to reach any standard of merit.

No male child under 15, nor female child under 16 shall be employed in any mill, factory, workshop, mechanical or mercantile establishment, tenement house, manufactory, store, office, restaurant, boarding house, bakery, barber shop, hotel, bootblack stand, public stable, garage, laundry, place of amusement, club, or as a driver, or in any brick or lumber yard, or in the construction or repair of buildings, or in the distribution, transmission or sale of merchandise, nor any boy under 15 or female under 21 in the transmission of messages.

No child under 15 shall be employed in any business whatever during any of the hours that the public schools are in session.

No boy under 16 and no girl under 18 shall be employed in any of the above business places for more than six days a week, or 48 hours a week, or 8 hours a day, or between 6 p. m. and 7 a. m. No boy under 18 or girl under 21 shall be employed, as above, more than 6 days a week or 54 hours a week or 10 hours a day or between 10 p. m. and 6 a. m.

No boy under 18 shall work as a messenger for any telephone or telegraph company between 9 p. m. and 6 a. m.

No child under 16 shall be employed or permitted to work at dangerous machinery, or in proximity to unguarded belts or gearing, or in any railroad or vessel, or in connection with dangerous acids, or in the manufacture of paints, dyes or gases, nor on scaffolding or in the building trades, nor in any tunnel or excavation, nor in any mine, coal breaker, coke oven or quarry, nor in sorting or manufacturing tobacco, nor in bowling alley, pool or billiard room, nor in any other occupation dangerous to life or limb, or injurious to health or morals of such child.

Power is given to the Board of Health to determine whether any trade or process is sufficiently dangerous to children to be prohibited to them.

No female under 21 shall work at any employment which compels her to remain constantly standing.

No child under 18 shall be employed in or about any blast furnace, dock or wharf; in the erection or repair of electric wires; in running an elevator; in oiling or cleaning machinery in motion; about emery wheels and the like; in railroading, or upon vessels; among high explosives, or in

the manufacture of white or yellow phosphorus matches; or in any distillery or brewery; or any establishment where alcoholic liquors are manufactured, wrapped or bottled; or in any hotel, theater or place of amusement where intoxicating liquors are sold. The Board of Health is also given power to add to the list of employments prohibited on account of their dangerous character to children under 18.

No person under 21 shall be employed in any saloon or bar-room where intoxicating liquors are sold, nor to handle intoxicating liquors in any way.

No female under 21 shall be employed in or about any mine, quarry, or coal breaker, except in the office thereof, or in oiling or cleaning machinery in motion.

No female shall be employed in operating or using any dangerous wheels or belts.

Seats must be provided in all factories, workshops, business offices, telephone and telegraph offices, restaurants, bakeries, millinery or dressmaking establishments, mercantile or other establishments, for females employed therein, one for each female, and the use thereof shall be permitted.

Females over 18 shall not be employed or permitted to work in any of the above establishments more than 10 hours a day or 54 a week. Provided that no restriction on the hours of labor shall apply to canneries or establishments engaged in preparing for use perishable goods.

OKLAHOMA

The chief provisions of the laws of Oklahoma relating to women and children are as follows:

Boys under 16 and women and girls shall not be employed underground in the operation of mines or quarries.

No child under 14 shall be employed in any factory, workshop, theatre, bowling alley, pool hall, or steam laundry, and no child under 15 shall be employed in any occupation injurious to health or morals or especially hazardous to life or limb. The Commissioner of Labor shall determine what occupations are thus injurious or dangerous, and shall notify employers.

No child under 16 shall be employed in oiling, operating or cleaning any dangerous machinery, or among dangerous acids, dyes, gases or colors, or in dipping or packing matches, or among high

explosives or in the manufacture of goods for immoral purposes, nor shall females under 16 be employed in any occupation requiring constant standing.

No girl under 16 shall sell newspapers or periodicals in the streets or in any public place.

No child under 16 shall be employed in any gainful occupation except agriculture and domestic service, more than 8 hours per day or 48 hours per week.

No boy under 16 and no girl under 18 shall be employed in any of the occupations above specified between 6 p. m. and 7 a. m.

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No child under 16 shall be employed in any of the occupations specified unless such child can read and write simple sentences in English, or shall have attended some school during the preceding year for the time that attendance is compulsory.

Before going to work every child under 16 must obtain a certificate of age and schooling which must be filed by the employer. The certificate shall be approved by the school authorities, and shall contain evidence of age and physical fitness, and shall testify that the child can read and write and that he has attended school the whole of the previous school year.

Seats must be provided in all manufacturing, mechanical and mercantile establishments, hotels, restaurants, theaters, telegraph and telephone offices or other places where women and girls are employed as clerks, and their use permitted.

OREGON

An industrial Commission was created by an act of the Oregon Legislature in 1913. This Commission was given power to regulate hours of work and working conditions as well as to fix minimum rates of wages. The rulings of the Commission have the force of law, and the laws on the statute book represent only a minimum degree of protection below which the Commission can not descend. On April 19, 1917, the Supreme Court of the United States decided that the law under which this commission was created was constitutional. The provisions of the law as they stand on the statute books are as follows:

No child under 14 shall be employed in any factory, workshop, mercantile establishment, store, business office, restaurant, bakery, hotel or apartment house. No child under 16 shall be employed in the telegraph, telephone or messenger service.

No child under 14 shall be employed in any work of any form for wages or other compensation during the term when the public schools are in session. Attendance at school during the whole of the school term is compulsory on all children between 9 and 15, unless such child has completed the eighth grade.

No child under 16 shall be employed between 6 p. m. and 7 a. m., nor for more than 10 hours a day nor more than 6 days a week.

No child under 16 may be employed in any of the above mentioned occupations unless he first obtain a certificate issued by the school authorities and approved by the board of inspection of child labor. The certificate must duly attest the age of the child, his physical fitness, and that he can read and write simple sentences in English and has attended school in the year previous for not less than 160 days.

Children between 12 and 14 may obtain certificates for employment in any suitable work during school vacations at the discretion of the child labor inspection board.

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No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone offices, or by any express or transportation company more than 10 hours a day or 60 hours a week.

Seats for female employees must be provided in all such places of business and their use permitted.

No child under 18 shall have charge of any elevator.

Rulings of the Industrial Commission

Maximum hours for girls under 18: 8 hours 20 minutes a day; 50 hours a week in manufacturing or mercantile establishment, millinery, dressmaking, or hairdressing, shop, laundry, hotel, restaurant, telephone or telegraph establishment. Such girls not to be employed after 6 p.m.

Females in mercantile establishments (Portland) 8 hours 20 minutes per day, 50 hours a week; no work after 6 p.m. of any day.

Females in manufacturing establishments (Portland) 9 hours a day, 56 hours a week. Office work (Portland) 51 hours a week.

No women to be employed in any industry in the State more than 54 hours a week.

Women not to be employed after 8.30 p.m. in any mercantile, manufacturing or laundry establishment.

PENNSYLVANIA

The principal provision of the labor laws of Pennsylvania which relate to women and children are as follows:

No child under 14 shall be employed in any establishment.

No minor under 16 shall be permitted to clean or oil machinery in motion, or to operate any elevator.

No child between 14 and 16 may be employed in any establishment without first obtaining a certificate from the school authorities. Such certificate must contain evidence of age and physical fitness and a statement from the principal of the last school attended by the child that he has completed the course of study for the first six years in the common schools, or an equivalent course.

No minor child under 18 shall be employed in singing, and playing or begging on the public highways.

No child under 15 shall be permitted to sing, dance or exhibit in any dance house, or in any concert saloon, theatre or place of entertainment where intoxicating liquors are sold or given away. No child under 15 shall be employed or exhibited in the occupation of rope or wire walking, or as a gymnast or rider, or for any obscene, indecent or illegal exhibition or vocation or any vocation injurious to the health or dangerous to life or limb of such child, or for the purpose of prostitution, nor shall any minor child be retained or employed in or about an assignation house or brothel.

Any person, firm or corporation having authority over a minor who permit such minor they be sent to any house of prostitution or assignation 59 or other immoral place of resort or amusement shall be guilty of a misdemeanor.

No boy under 16 and no woman or girl shall be employed in any mine; ,or hall any boy under 14 or woman or girl of any age be employed about the outside structures or workings of any colliery. Provided that this prohibition shall not affect the employment of a boy or female of suitable age in an office in the performance of clerical work at a colliery.

Male minors over 18 may be employed in any kind of legal employment, but no minor under 18 shall be employed in the operation of hoisting machines or about blast furnaces, docks, wharves, quarries, in the outside erection or repair of electric wires, in running elevators, in oiling or cleaning machinery in motion at switch-tending or track repairing, on railroads, or on boats and vessels engaged in the transportation of passengers or merchandise, or among high explosives.

Minors over 16 may be employed in the manufacture or preparation of white or red lead, paint, phosphorus or phosphorus matches, poisonous acids, or for the stripping or manufacture of tobacco. Provided that where it is proved to the satisfaction of the chief factory inspector that the danger or menace to the health or safety of such minors has been removed, minors, between 14 and 16 who can read and write English intelligently and are physically qualified, may be therein employed.

Minors over 14 who can read and write English and are physically fit may be employed in mercantile establishments, stores, telegraph or telephone or other business offices, hotels, restaurants, or in any factory, workshop, rolling mill, or other establishment having proper sanitation and ventilation in which power machinery is not used, or, if used, carefully safeguard.

It shall be unlawful for any person to employ a child between 14 and 16, unless such child attend school for not less than 8 hours a week, during the period of such employment, provided that a suitable school shall be within reasonable access to said place of employment. The school hours shall not be on Saturday, nor before 8 a.m. nor after 5 p.m.

No minor under 16 shall be permitted to work in or about any establishment or in any occupation for more than 51 hours a week, or more than 9 hours in any one day, or between 8 p.m. and 6 a.m. Hours spent in school shall be considered part of the working day or working week.

No minor under 16 shall be permitted to operate or assist in operating dangerous machinery, or be employed in proximity to dangerous machinery in motion, nor in heavy work in building trades,

nor in work on tobacco, nor in pool or billiard rooms nor bowling alleys, nor among dangerous dyes, colors, or chemicals or acids, nor on railroads, boats or motor vehicles, nor in coal mines or blast furnaces nor anywhere where alcoholic liquors are manufactured, bottled or sold.

In addition to a long list of specified dangerous employments the Industrial Board of the Department of Labor and Industry is also given power to declare occupation dangerous to life or limb or injurious to health or morals, when such occupations shall be forbidden to minors under 18.

No minor shall be permitted to work in any saloon or bar-room where alcoholic liquors are sold.

No male minor under 12 and no female minor shall distribute, sell or offer for sale any newspapers, periodicals or articles of merchandise in any street or public place. No boy under 14 and no girl under 21 shall be permitted to work as a scavenger, bootblack, or in any other street trade. No boy under 16 shall engage in any of these occupations between 6 p. m. and 6 a. m.

Where the usual process of manufacture or the nature of the business necessitates a continuous day and night employment, male minors, not under 14, may be employed day or night, or part day and part night, but said employment shall not exceed 9 hours in the 24 for minors under 16.

Attendance at school is compulsory for all children between 8 and 14 during the whole term that the public schools are in session. Children between 14 and 16 must attend school unless they have employment certificates and are legally employed.

No female shall be employed in any establishment for more than 6 days a week or 54 hours a week or ten hours a day. Provided that during weeks in which a legal holiday occurs a female may be employed longer than 10 hours on three days of the week, but not more than two hours of overtime and not more than the maximum number of hours a week. Not more than two hours of overtime may be worked if necessary to make up for time lost in repairs or accidents to machinery.

The restrictions as to hours shall not apply to females engaged in the canning of fruit or vegetables.

No female shall be employed in any manufacturing establishment between 10 p. m. and 6 a. m. (This does not apply to clerical work.)

No female under 21 shall be employed in any establishment between 9 p. m. and 6 a. m. (This does not apply to telephone operators over 18.)

RHODE ISLAND

Rhode Island raised the age of child workers in 1913. Before that date the Rhode Island cotton mills had an unfair advantage as regards the employment of children over the mills of Massachusetts. The chief provisions of the Rhode Island labor code for women and children are as follows:

All children between 7 and 15 who have not completed the studies taught in the first eight years of public school (exclusive of kindergarten) must attend school during the whole time that the public schools are in session; unless such child shall have completed 14 years and shall be lawfully employed.

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No child under 14 shall be employed in any factory, manufacturing or business establishment, and no child under 16 shall be so employed between 8 p. m. and 6 a. m. No child under 16 shall be so employed unless such child shall first present an age and employment certificate given by the school authorities. Such certificate shall state the age of the child, certifying that the child has completed 14 year of age, and that he can read at sight and write legibly sentences in English , and that he is in sufficiently sound health, and physically able for legal employment.

Provided that these provisions shall not apply to children engaged in household service or agricultural pursuits.

No minor under 16 shall be allowed to clean machinery in motion, unless the same is necessary and is approved by the inspectors as not dangerous.

In every manufacturing, mechanical, or mercantile establishment in which women and girls are employed, there shall be provided seats for such women and girls, and they shall be permitted to use them when their duties do not require standing.

No person under 21 shall be permitted to work as a messenger for a telegraph, telephone, or messenger company, in the distribution or delivery of messages or goods, between 10 p.m. and 5 a.m.

No minor or woman shall be permitted to sell or serve intoxicating liquors except in licensed taverns or licensed victualing houses.

No person under 18 shall operate any passenger elevator.

No child under 16 shall be exhibited or employed as a rope or wire walker, gymnast, acrobat or rider, or in any dancing or theatrical exhibition except with written consent of the mayor; or for picking rags or collecting cigar stumps or bones, or refuse from markets; or in any mendicant occupation, or in peddling in places injurious to the morals of the child, or in any illegal, obscene, indecent or immoral practice, or for any business injurious to the health or morals, or dangerous to life or limb, of such child.

No minor under 16 and no woman shall be employed in any factory, manufacturing, mechanical, business or mercantile establishment more than 54 hours in any one week, and in no case shall the hours exceed ten a day.

No boy under 12, and no girl under 16, shall, in any city of over 70,000 population, sell any newspaper, magazine, periodical or other article, or exercise the trade of bootblack scavenger. Boys under 16 must have permits and badges before engaging in street trading.

SOUTH CAROLINA

South Carolina, like most of the Southern States, is backward in regard to legislation for the protection of working women and children. The chief provisions in its code are as follows:

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It shall be the duty of each employer to place in conspicuous places in each room of the factory in which any children under 14 are employed, notices to the effect that said children are forbidden to clean any gears, cams or pulleys, or to clean in dangerous proximity thereto while the same are in motion by aid of steam, water electricity or other mechanical power; and no such employer or his agents shall knowingly permit such children so to clean the said moving parts.

Every person or corporation employing children shall procure from the parent or guardian a signed statement in which shall be recorded the name, birthplace, age and residence of every such child under 14.

The hours of labor in all textile factories shall be ten hours a day, or 60 a week; provided that the hours of a single day shall not exceed 11, except for the purpose of making up lost time; provided that this shall not apply to mechanics, engineers, watchmen, teamsters, yard employees or clerical force.

No child under 14 shall be employed in any factory, mine, or textile establishment.

No child under 16 shall be employed in any factory or mine between 8 p. m. and 6 a. m. Provided that children under 16, legally employed, may work after 8 p. m., but not later than 9 p. m., to make up lost time caused by breakdown of machinery.

Seats must be provided to the number of one seat for each three females, in any mercantile establishment where females are employed, and their use must be permitted to such an extent as may be requisite for the preservation of the health of such females.

The hours of labor of women in mercantile establishments shall be limited to 60 a week—not to exceed 12 a day, and such females shall not be required to work later than 10 p. m.

In cities of 5,000 or over no child under 14 shall work as a messenger for any telegraph, telephone or messenger company in the distribution or delivery of goods or messages; nor shall any child under 18 be so employed between 10 p. m. and 5 a. m.

Every parent or guardian having charge of a child between 8 and 14 years of age, shall cause such child to attend public school for the entire school term, unless such child is receiving equivalent instruction elsewhere. In agricultural districts, children must attend school continuously for four months of each year, unless the school term in the public school in such district is shorter than four months, in which case the child must attend during the whole of the school term. Provided that a child shall not be required to attend school if there is no school within 2½ miles of his home; nor when his services are necessary on account of poverty for his own support or the support of a parent; nor when such child is without the necessary books and clothes and his parents are too poor to procure them for him. Children between 14 and 16, if unable to read and write simple sentences in English, shall attend school as though they were under 14.

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SOUTH DAKOTA

South Dakota has a yet passed little legislation for the protection of working women and children. The principal clauses of its code are as follows:

No child under 14 shall be employed in any mine.

No person under 21 shall be employed as a bartender or in any other capacity in connection with the place or room where intoxicating liquors are sold.

No child under 15 shall work at any gainful occupation in any mine, hotel, laundry, manufacturing establishment, factory, elevator, bowling alley or in any place where intoxicating liquors are sold, or a messenger or driver, or in any other work for wages or other compensation, during any portion of any month during the hours when the public schools are in session.

Unless a shorter time be agreed upon, the standard day's work for women, girls and children shall not exceed 10 hours a day, and no woman or child under 14 shall be compelled to work more than 10 hours a day. This section does not apply to domestic service or to the care of live stock.

No child under 14 shall be employed at any time in any factory or workshop or about any mine; nor in any mercantile establishment except during the vacation of the public schools. No child under 16 shall be employed in any occupation dangerous to life, health or morals, nor shall he or she be employed for more than 10 hours a day or 60 hours a week, except that on Saturday and for 10 days prior to Christmas, such child may be employed till 10 p. m.

No child under 14 shall be employed in any factory, workshop, mine or mercantile establishment unless he first present a certificate from the school authorities, stating name, date and place of birth, that he can read and write simple sentences in English, or is a regular attendant at some school or has attended school during the last twelve months, or been lawfully excused therefrom.

Whenever it appears that the labor of a child who would otherwise be barred from employment is necessary for his support or that of his family, a permit may be issued for his employment during certain hours to be fixed therein.

Every child between 8 and 16 shall regularly attend school until he has completed the studies of the sixth grade. When he has completed the sixth grade he may be required to attend school each year for 16 weeks until he has completed the studies of the eighth grade, or attained the age of 16.

TENNESSEE

The principle provisions in the labor code of Tennessee which affect working women and children are as follows:

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A seat must be provided for each female employee in any factory, mercantile establishment, mill or workshop in which females are employed, and the use of such seats must be permitted at all times

when such use does not actually and necessarily interfere with the discharge of the duties of such employee.

No child under 14 shall be employed in or in connection with any mill, factory, workshop, laundry, telegraph or telephone office, or in the distribution of merchandise or messages.

No child under 16 shall be so employed between 6 p. m. and 6 a. m.

No child under 14 shall be employed in any business or service whatever which interferes with the child's attendance at school during any of the term the public schools are in session.

Children under 16 are forbidden to repair machine belts while in motion; to adjust any belt to any machinery; to oil or clean machinery; to operate dangerous machines; to dip or pack matches; or in mines or quarries.

No child under 18 shall be employed as a messenger for a telegraph or messenger company between 10 p. m. and 5 a. m.

Every child between 8 and 14 shall attend school for 80 days, or when the school term is less than 80 days, for the full term, in each year, or for the entire school year in cities of 5,000 or over.

Every child between 14 and 16 who is not lawfully employed shall attend school as provided for children under 14.

It is unlawful to employ any female or any child under 16 in workshop or factories for more than 58 hours a week or more than 10½ hours a day. Provided that 10½ hours will be permitted only for the purpose of making one short day in the week.

Canneries are exempt from all provisions except the 14-year limit during school hours and the 16-year limit for dangerous occupations.

TEXAS

Texas has not yet covered the field of labor legislation for the protection of woman and child labor, but in recent laws a good beginning has been made in regard to such protection. The principal provisions of the code are as follows:

No minor shall be employed about the place of business of any retail liquor dealer; nor shall any female, other than a member of his own family, be employed as a servant, bar-tender, or waitress in any such business.

All persons who are able to work and do not work, but hire out their minor children and live upon their wages, being without other means of support, shall be punished as vagrants.

No child under 15 shall be permitted to labor in or about any manufacturing or other establishment using dangerous machinery; or about the machinery in any mill or factory; or in any distillery or brewery; or in the manufacture of goods for immoral purposes; or where the health of 65 such child may be impaired or his morals debased; nor may such child be sent to any disorderly hour or assignation house.

No child under 17 shall be employed in or about any quarry or mine.

All children between 8 and 14 must attend public school for at least 60 days in the school year 1916-17; 80 days in the year 1917-18, and in 1918-19 and thereafter for at least 100 days. The following classes of children are exempt from this requirement:—children in private schools or under proper instruction; children physically or mentally unfit; children living more than 2½ miles from the nearest school; children who have completed the 4th grade whose services are needed for the support of a parent.

No female shall be employed in any factory, mine, mill, workshop, mechanical or merchantile establishment, laundry, hotel, restaurant or rooming house, theatre or moving picture show, barber shop, telegraph or telephone office, express or transportation company, or any State institution, or any other establishment in which females are employed, for more than 9 hours a day or 54 hours a week. Provided that in case of extraordinary emergencies, or where it becomes necessary for the protection of life or property, longer hours may be worked, but for such hours not less than double time shall be paid to such female with the consent of said female. Provided this act shall not apply to stenographers or pharmacists.

No female shall be employed in any laundry for more than 54 hours a week nor for more than 11 hours in any one day. Provided that if any female is employed for more than 9 hours in any one day she shall receive pay at the rate of double her regular pay for the overtime.

No female shall be employed in any textile factory for more than 10 hours a day or 60 hours a week. Provided that if any female is employed for more than 9 hours she shall receive double pay for the overtime.

Seats must be provided for all female employees in all manufacturing, mechanical and mercantile establishment, workshops, laundries, printing offices, dress-making or millinery establishments, hotels, restaurants, theatres, telegraph and telephone offices and all other establishments employing women and the use of these seats must be permitted to such employees when not engaged actively in the performance of their duties.

UTAH

The influence of the women voters is plainly visible in the code for the protection of women and children of Utah. The principal provisions of the code are as follows:

No child under 14 and no female shall be permitted to work in any mine or smelter.

Seats must be provided for women or girls employed in any store, shop, hotel, restaurant, or other place where women or girls are employed, and the use of such seats must be permitted.

The earnings of any minor child of a debtor, and the proceeds thereof are exempt from execution for any debt not contracted for the benefit of such child.

No person under 21 and no female shall be employed to serve intoxicating liquor to be drunk on the premises.

No person under 21 shall be employed in handling intoxicating liquor in a brewery or bottling establishment.

No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone office, hospital or office, or by any express or transportation company more than 9 hours a day or 54 a week, except in cases of emergency in a hospital, or cases of emergency where life or property is in imminent danger, or where materials are likely to spoil by the enforcement of this act.

No child under 14 shall be employed in connection with dangerous acids; in the manufacture of paints, nor among high explosives, nor in the manufacture of goods for immoral purposes; nor in

any quarry or mine, coal breaker, laundry, tobacco warehouse or cigar factory, distillery, brewery or other place where alcoholic liquors are manufactured, packed or bottled, theatre, concert hall or saloon; nor in operating automobiles, or elevators, nor in bowling alleys, nor in any other employment declared by the State Board of Health to be dangerous to life or limb or injurious to the health or morals of such children.

Children must obtain employment certificates before going to work. Such certificates are issued by the school authorities after personally examining the child, and must contain the statement that the child has attended school for not less than 100 days in the year previous to arriving at the age of 14, or the year before applying for such certificate, and that he is able to read and write simple sentences in English.

No female under 21 shall be employed in any restaurant, resort or place of amusement where alcoholic liquors are manufactured or dispensed.

In cities of the first or second class no person under 21 shall be employed as a messenger for a telegraph or messenger company, in the distribution of messages or merchandise, between 9 p. m. and 5 a. m., and no person under 21 shall be permitted to deliver messages or goods to or required to visit in the course of any employment any house of ill repute, or saloon or gambling house, or other place of objectionable character disapproved of by the juvenile court.

No boy under 14 and no girl under 16 shall be employed more than 54 hours a week at any occupation other than domestic service, fruit or vegetable packing or farm work.

No boy under 12, and no girl under 16, shall in any city of the first or second class sell newspapers, periodicals or other merchandise on any street or public place. No child shall work as a bootblack unless he is over 12.

Boys under 16 must obtain permits and badges from the school authorities before engaging in street trades. No child under 16 shall work in such trades after 9 p. m.

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Utah has also a minimum wage law for women.

School attendance is required between 8 and 16 unless the course has been completed or the services of the child are necessary for support—30 weeks minimum in cities of first and second class; elsewhere 20 weeks.

VERMONT

The chief provisions of the laws of Vermont for the protection of working women and children are as follows:

No child under 16 who has not completed the course of study of the elementary schools shall be employed in work connected with railroading, mining, manufacturing, or quarrying; or in a hotel or bowling alley; or in delivering messages, except during vacations and before and after school. No child shall be so employed unless he presents a certificate showing that he is eligible to employment.

No child under 16 shall be employed for more than 9 hours a day or fifty hours a week, or between 8 p. m. and 7 a. m., in any of the occupations enumerated.

No child under 14 shall be employed in or in connection with any mill, factory, quarry or workshop wherein are employed more than 10 persons.

No person under 21, and no female shall be employed in a bar-room.

No child under 16 shall be employed about any dangerous machinery, or in oiling or cleaning machinery; or in connection with dangerous or poisonous acids, paints, colors, or white lead; or in cigar factories or other factory where tobacco is manufactured or prepared.

Females under 18 shall be employed in any capacity requiring constant standing. Seats must be provided in mercantile establishments, stores, shops, hotels and restaurants where women or girls are employed, and the use of these seats must be permitted.

No child under 18 and no woman shall be employed in any manufacturing or mechanical establishment more than 11 hours a day or 58 hours a week.

No woman shall knowingly be employed in any manufacturing or mechanical establishment within two weeks before or four weeks after childbirth.

Children between 8 and 16 must attend school for at least 170 days in each year unless such child completed 8 grades, or is 15 years of age and has completed 6 grades.

VIRGINIA

Virginia amended its child labor laws in 1914. The chief provisions of the laws affecting working women and children are as follows:

All persons who are able to work, and who do not work, but hire out their minor children and live upon wages shall be deemed vagrants.

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Seats shall be maintained in mercantile establishments for the use of female employees therein, and the use of these seats shall be permitted to such extent as may be necessary for the preservation of their health.

No female and no child under 14 shall work as an operative in any factory, laundry, mercantile, or in any manufacturing establishment more than 10 hours a day. Provided that nothing in this act shall be construed to apply to females whose whole time is employed as bookkeepers, cashiers, stenographers, or office assistants; nor to canning factories and fish packing establishment located in the country sections; nor to mercantile establishments in towns of less than 2,000 inhabitants, nor to country stores.

No child under 14 shall be employed in rope or wire walking, begging or peddling; or as a gymnast or acrobat; or for any obscene, indecent or immoral purpose or practice, or in any business, exhibition or vocation injurious to the health or morals, or dangerous to life or limb. It is unlawful to have in custody any child for any of the purposes herein prohibited.

No male under 21 and no female shall be employed in any capacity, in any place except in hotels, where intoxicating liquors are manufactured, bought, sold or packed, except mercantile establishment in the country.

No child under 14 shall be employed in any factory, workshop, mine, mercantile establishment, laundry, bakery, brick or lumber yard; or during school hours or after 7 p.m. in the distribution, transmission or sale of merchandise.

No child under 16 shall be employed in connection with any of the establishments named above for more than 6 days a week, nor more than 10 hours a day, nor between 9 p.m. and 7 a.m.

No child under 16 shall be employed in any of the establishments named above, unless he presents an employment certificate, issued by a notary public on the application of the parent or guardian. This certificate must contain evidence tht the child is over 14.

In cities of 5,000 or over, no child under 14 shall be employed as messenger for a telegraph, telephone or messenger company, in the distribution of goods or messages, and no child under 18 shall be so employed between 10 p. m. and 5 a. m.

No boy under 10 and no girl under 16 shall sell newspapers or periodicals in the streets of any city of 5,000 or over.

But nothing in this act shall prevent a parent from working his or her child in any factory, workshop, mercantile establishment, or laundry, or other place, owned or operated by said parent, nor apply to persons employed in factories engaged exclusively in packing fruits and vegetables between July 1st and November 1st of each year.

Provided further that nothing contained in this act shall apply to mercantile establishments in towns of less than 2,000 or in country districts; Provided, however, that upon petition of the parent, guardian, or other person interested in such child to the circuit or corporation court, the court may, for good cause, release any child between the ages of 12 and 14 from the operation of this act.

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WASHINGTON

Washington has an extensive code of laws for the protection of women and children, including one creating an Industrial Commission with power to fix hours, conditions of labor and minimum wages for women and minors and one for mothers' pensions. The principal provisions in the general laws are as follows:

No minor actually or apparently under the age of 18 may be employed in begging, or in any mendicant occupation, or in any indecent or immoral exhibition or practice, or in any practice or exhibition dangerous or injurious to life, limb, health or morals, or as a messenger for delivering letters, telegrams, packages, or bundles at any known house of prostitution or assignation. Parents and guardians as well as employers are made liable for any breach of this act.

All children between 8 and 15, and all children between 15 and 16 who are not regularly and lawfully employed must attend school during the entire time that the public schools are in session, unless the child has been excused as physically or mentally unfit, or unless he has attained a reasonable proficiency in all the branches taught in the first eight grades.

No child under 15 shall be employed for any purpose during the hours that the public schools are in session, unless he present a certificate excusing him from attendance, such certificate to be issued by the school authorities.

No employer shall permit any person under 16 to work in his bakeshop between 8 p.m. and 5 a.m.

No female person shall be employed in any capacity in any saloon, beer hall, bar-room, theatre or place of amusement where intoxicating liquors are sold.

Every avenue of employment shall be open to women, and any business, vocation, profession and calling followed by men may be followed by women, and no person shall be disqualified from engaging in any business, vocation, profession or calling or employment on account of sex. Provided that this section shall not be construed so as to permit women to hold public office.

No person under 19 shall be employed as a public messenger by any person, telegraph company, telephone or messenger company in any city of the first class; nor shall any child of either sex under 14 be hired out to labor in any factory, mill, workshop, or store at any time. Provided that any superior court judge may issue a permit for the employment of a child between 12 and 14 upon evidence that the proposed occupation is not dangerous or injurious to such child, and that the labor of such child is necessary for its own support or for the assistance of its parents. Provided further that the judge of the juvenile court may issue permits for the employment of any male child over 14 as messenger by telegraph, 70 telephone and messenger companies, subject to such limitations and conditions as may be imposed by said court.

No boy under 16 and no female shall be employed in any mine, nor shall a boy under 14 be employed in the outside structures or workings of the colliery.

No female shall be employed in any mechanical, or mercantile establishment, laundry, hotel or restaurant more than 8 hours a day. Provided that this shall not apply to females employed in harvesting, packing, curing, canning or drying any kind of perishable fruit or vegetable, nor to females employed in canning fish or shellfish.

Every employer in establishments where females are employed shall provide suitable seats for them and permit their use.

By a regulation of the Industrial Commission, night work is prohibited after 7:30 p. m. for minors under 18 in all mercantile establishments, factories, laundries, and dye-works.

WEST VIRGINIA

The principal provisions of the labor code of West Virginia, as it affects women and children are as follows:

No child under 14 shall be employed in any factory, mill, workshop, or manufacturing establishment. It shall be unlawful without permission from the commissioner of labor or the country superintendent of schools to employ a child under 14 in any business or service whatever during the hours that the public schools are in session.

No child under 16 shall be employed in any of the above-mentioned occupations unless such child first present a certificate, which must be kept on file by the employer. This certificate shall be issued only by the school authorities, and must contain the school record (saying that child has completed the fourth grade), the date and place of birth, or an affidavit from parent or guardian of the age of the child.

No child under 15 shall be employed as a rope or wire walker, or as an acrobat or gymnast, contortionist or rider, or for any obscene, indecent or illegal exhibition, or any vocation injurious to the health or dangerous to the life or limb of such child, or for the purpose of prostitution, nor shall any child be harbored or employed in or about any assignation house or brothel, or any place where any obscene, indecent or illegal exhibition takes place.

No child under 18 shall be used for any mendicant business or for playing or singing on the streets.

No child under 15 shall be permitted to sing, dance or in any manner exhibit in any dance house, concert saloon, theatre or place of entertainment where intoxicating liquors are sold or given away.

(In all three sections parents and guardians as well as employers are made liable for breach of this law.)

No boy under 14 and no female shall be permitted to work in any coal mine.

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No boy under 16 shall be permitted to work in any coal mine during the time that the public schools of the district are in session.

WISCONSIN

Wisconsin has an extensive and humane code for the protection of women and children—a code to which large additions were made by the same legislature that passed a woman suffrage amendment to be submitted to the voters. The state has an industrial commission endowed with wide powers, and has also a mothers' pension law. The principal laws affecting working women and children are as follows:

Every child between 7 and 14, and every child between 14 and 16 not regularly and lawfully employed at home or elsewhere, shall attend school for 20 days in each school month, during the full period and hours of calendar year during which the public schools are in session in cities of the first class, in all other cities for not less than eight months, and in towns and villages not less than six months in each year.

No person under 18 shall be employed in a cigar shop or cigar factory at manufacturing cigars for longer than 8 hours a day or 48 a week.

No female shall be permitted to work in any place of employment for such period or periods of time during any day, night or week, as shall be dangerous or prejudicial to the life, health or safety or such female. It shall be the duty of the Industrial Commission and it shall have power, jurisdiction and authority, to investigate and determine such reasonable classification, and to issue general or special orders fixing hours of beginning and ending work during any day, night or week which shall be necessary to protect the life, health, safety or welfare of any female. Until such time as the Industrial Commission shall issue general or special orders the following periods of time shall be deemed dangerous for prejudicial to the life or health of females: At daywork, more than 10 hours a day or 55 hours a week, 6 a. m. to 8 p. m. At nightwork, more than 8 hours a night or 48 hours a week, 8 p. m. to 6 a. m.

No child between 14 and 16 shall be permitted to work in any factory, workshop, store, hotel, restaurant, bakery, mercantile establishment, laundry, telegraph, telephone or public messenger service, or in the delivery of merchandise, or at any gainful occupation, unless he first obtain a written permit from the judge of the juvenile court or county court authorizing his employment.

No employer shall permit a minor or a female to work in any place of employment or at any employment dangerous or prejudicial to the life, health, safety, or welfare of such female or minor. It shall be the duty of the Industrial Commission to determine and prohibit such employment.

The schedule of employments forbidden by statute to minors includes 40 clauses. By it minors under 21 are forbidden to act as messengers between 8 p. m. and 6 a. m. Minors under 18 are forbidden to work in blast 72 furnaces, on docks, among mineral dust, on electric wires, running elevators, dipping or packing matches, in or about mines or quarries, oiling or cleaning dangerous machinery in motion, and on railroads. Females under 18 may not be employed as messengers. Children under 16 are forbidden to work on or about dangerous machinery, or among poisonous dyes or gases; in the manufacture of paint; in bowling alleys; on the preparation of goods for immoral purposes; in any place where intoxicating liquors are made, bottled, sold or given away; in any tobacco warehouse, cigar or other factory where tobacco is prepared; at woodworking or polishing; at wool, cotton carding or picking; or at any other employment dangerous to life or limb; injurious to health or depraving to morals.

No minor female in any capacity requiring constant standing.

No female in any mine or quarry.

No child under 14 shall be permitted to work at any gainful employment at any time, except that during the vacation of the public schools such child may be employed in any store, office, mercantile establishment, warehouse, telegraph, telephone or public messenger service in the town or city in which it resides and not elsewhere. Provided that such child shall have first obtained a permit to work.

No child under 16 shall be permitted to play on any musical instrument or to sing or perform in a circus, theatrical or musical exhibition, concert or festival, or in any public places without a written permit authorizing such appearance.

Permits for the employment of children must contain a certificate that the child is more than 14, that he has attended the public school or some other school with equivalent course twelve months of the issue of such certificate, that he is able to read and write simple sentences in English and that he has completed the studies of the fifth grade.

No child under 16 shall be employed in any gainful occupation, other than farm work and domestic service, more than 48 hours a week or 8 hours a day, nor between 6 p.m. and 7 a.m, nor more than 6 days in any one week. Provided that not more than 8½ hours may be worked in a day in order that children may be free from labor 12 m. Saturday. Provided that no child so employed shall work more than hours a week including at least four hours at continuation school.

Wherever continuation schools are established for minors between 14 and 16 working under permits, such minors shall attend school in the day time for not less than five hours a week, for 8 months a year, until such child is 16, or 4 hours a week for 10 months, and every employer must allow a reduction in the hours of labor of such child of not less than the time that the child must attend school. Minors between 16 and 17, regularly employed, shall attend school, where such continuation school exists, for 5 hours a week for 6 months, or 4 hours a week for 8 months. Children may attend school for longer than this minimum—such extra time not to be deducted from the legal hours of work.

Permits to work may be refused to children who seem physically unfit for the employment for which the permit would be granted.

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Seats must be provided for females employed in manufacturing mechanical or merchantile establishment, and the use of these seats must be permitted.

No license shall be granted for a theatrical exhibition or public show in which children under 15 are employed as acrobats, gymnasts or riders, if such children are employed in such as manner as to corrupt their morals or impair their physical health.

No boy under 12 and no girl under 18 shall sell newspapers or periodicals on the streets or in any public place in cities of the first class, and no boy under 14 shall act as bootblack or be employed in any street trade except the sale of newspapers or periodicals, and no girl under 18 shall be so employed.

Boys under 16 employed in street trades must have badges and permits issued by the school authorities. No child under 16 shall work at any street trade during school hours. Boys between 14 and 16 who are complying with the legal requirements of school attendance and who are physically fit may deliver newspapers between 4 and 6 a. m.

No child under 14 shall be let out, or otherwise disposed of, for any obscene, indecent, or immoral purpose, exhibition or practice, or for any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child.

WYOMING

According to the census of 1910 Wyoming had in all 45 women and 12 children engaged in manufacturing industries. Its labor laws must therefore be considered rather as intended to prevent future abuses, than to remedy existing ones. The principal provisions affecting women and children are as follows:

No female shall be employed in any manufacturing, mercantile, printing, baking, laundering, canning establishment, or hotel or telephone exchange, restaurant, theatre or place of public amusement more than 56 hours a week or 10 hours a day, and the working period shall not extend over more than 12 hours in the 24. Ten hours shall not be worked by females for more than two days in each week. This provision shall not apply to telephone exchanges employing not more than 3 females.

No child under 18 shall be employed in any brewery, distillery, saloon or any other place where intoxicating liquors are handled or sold.

No child under 14 employed in the public messenger service, shall be required to deliver any message, or anything whatever, to such establishment or to any premises used for immoral purposes.

Children between 7 and 14 must attend school during the entire time the public schools are in session, unless on a physician's certificate that such attendance would be injurious; or by consent of the district board when such attendance would work a hardship.

No child under 16 shall be permitted to act or perform in any hall or room where liquors are sold or given away; nor shall any child 74 under 16 be used for any indecent, immoral or illegal purpose, or for any business or vocation injurious to the health or dangerous to life or limb of such child.

No boy under 14 and no woman shall be employed in or about any coal, iron or other dangerous mine or dangerous works or dangerous place; nor shall any child under 14 be employed near dangerous machinery or among dangerous acids or chemicals.

No child under 14 shall work at any gainful occupation more than 56 hours a week or 9 hours a day, except in farm or domestic service.

No female under 18 shall be permitted to work at any employment that keeps her constantly standing. Seats must be provided in any establishment where females are employed, and their use must be permitted.

UNITED STATES

The Act creating the Children's Bureau which was signed by President Taft in April, 1912, and the Federal Child Labor Law which was signed by President Wilson on September 1st, 1916, are the principal measures in the statute books of the United States passed in the interest of children. The women employed in the U. S. Civil Service benefit by the eight hour laws which have been enacted from time to time for the protection of the men. The Children's Bureau has power only to investigate conditions and report. It has not the power conferred on Industrial Commissions in various states, to make regulations which must be obeyed by employers of child or woman labor.

The Labor Code of the District of Columbia is, of course, the work of the U. S. Congress.

The Federal Child Labor Law extends federal control of interstate commerce over all products in the mining or manufacturing of which child labor has been employed. Under this law the following goods are interdicted from interstate commerce; Products of mines or quarries in which minors under sixteen are employed; manufactured goods from any manufacturing establishment employing minors under fourteen, or employing minors between 14 and 16 for more than eight hours a day or 48 hours a week or between 7 p.m. and a.m.

Other Provision in State Laws

Twelve states in which there are laws prohibiting the use of children as street musicians and in concert halls and theaters, provide for the issuance of permits for the appearance of on the stage either in concerts or in theatrical performances. ⁷⁵ There is also a provision in connection with these laws that the prohibition is not to apply to the employment of a child as a singer or musician in any church, school or academy, or to the learning of the science or practice of music.

In addition to the laws which have been enumerated, most of the states have laws enforcing decency in regard to toilets and washroom for female employees. The states that require separate toilets are Alabama, Colorado, Delaware, Florida, Illinois, Indiana, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin. In addition to the statutes, there are also regulations of boards of health or of industrial commissions which either take the place of laws, or supplement the laws, in regard to this aspect

of labor conditions. In California and Oregon, for example, regulations of the commission take the place of laws.

Enforcement of Laws

The laws as they stand on the statute books of any state give but an imperfect idea of the general working conditions of women and children in a state. More important than the laws themselves is the enforcement of the laws. The laws in some of the states are so drawn as to be almost impossible of enforcement. For instance in regard to the hours of labor of women and children, where there are provisions allowing for the working of longer hours in case of breakdowns or stoppages of machinery, it would require the constant presence of inspectors to prevent infractions of the law. A careful examination of the laws will show that in the states where the laws themselves are most lax, they are also most difficult of enforcement, so that the little protection nominally afforded is in fact illusory. In other cases regulations have been made far in advance of the laws, and the statute book is no guide, because the laws have lagged behind. Such an instance is found in the law in Colorado which provides that no female child under ten shall engage in street trading. This would seem to permit girls of ten or eleven to sell papers in the streets; but the regulations of the Juvenile Court absolutely prohibits such activities, and as a matter of fact the law has not been amended because it has been superseded.

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ADDENDA

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MINIMUM WAGE LAWS AND INDUSTRIAL WELFARE COMMISSIONS

Eleven States have laws either directly providing for the payment of minimum wages to women and minors, or establishing industrial commissions with power to inquire into conditions and wages in any trade and to determine on minimum rates. The powers of such commissions are not uniform, but except in Massachusetts and Nebraska, their determinations are given the force of law. The states are Arkansas, California, Colorado, Kansas, Massachusetts, Minnesota, Nebraska, Oregon, Utah, Washington and Wisconsin.

ARKANSAS

In Arkansas, where the statute was passed in 1915, the law applies to females working in any manufacturing, mechanical or mercantile establishment, laundry, or express or transportation company. The act created an industrial commission, but until it reports, the law restricts the hours of labor in such places of employment to 9 per day and 54 per week; and fixes a daily wage rate of not less than \$1.25 for all female workers of six months' experience, with a minimum of \$1 for inexperienced workers. Where there is a shorter working day than 9 hours the rate shall be the same per hour, as for those working 9 hours a day. Piecework or payment by a bonus system must secure to the worker a remuneration not less than that fixed by the act. If the commission finds that in any line of industry, payment by piece is working an injury to the general health of the employees, it may order its abolition and the substitution of a daily rate of wages for all female employees. The Commission is given power to allow work in canneries and candy factories in excess of nine hours a day for not more than 90 days in any one year, and wages for overtime to be at the rate of one and one-half the regular rate.

The rates fixed by the law may be changed by the Commission after investigation. If the rates are higher than is actually necessary to support properly a female worker in any occupation, a lower rate may be fixed by the Commission; while if the rate prove inadequate a higher rate may be established. No increase of the rates nor hours as specified in the law may be prescribed by the Commission in regard to hotels, restaurants, or telephone offices. The law does apply to cotton factories or to the gathering or preservation of fruits and perishable farm products, nor to establishments where fewer than three females are employed, nor to those working not more than three employees in the same building at the same class of work.

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The Commission to administer the act consists of the Commissioner of Labor and Statistics of Arkansas, and two competent women, to be appointed, one by the Governor and the other by State Commissioner of Labor and Statistics.

The law went into effect at once. Determinations by the Commission are to be reached after public hearings.

CALIFORNIA

In California, an Industrial Welfare Commission was created by act of 1913. The act provides that the Commission shall be composed of five persons, at least of whom must be a woman, and all of whom are appointed by the Government. The term of a commissioner is four years, but when first created

the terms were so arranged as to expire serially. No salary is paid the commissioners, but there is an allowance of ten dollars a day for the time actually spent in the performance of official duties.

The Commission is empowered and directed to ascertain the wages paid, the hours and conditions of labor in the various occupations in which women and minors are employed (defined for this act to be persons under 18), and to make investigations into the comfort, safety, health and welfare of such women and minors. If, after investigation, the Commission is of opinion that in any occupation, trade, or industry the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the Commission may call a conference or wage board, composed of an equal number of representatives of employers and employees with a representative of the Commission as chairman. The boards thus constituted may report on the minimum rates of wages adequate for women and minors, the number of hours a day in the occupation in question consistent with the health and welfare of the women and children, and the standard conditions of labor in the occupation in question demanded by the health and welfare of the women and minors. After hearings have been held, the Commission has power to make rulings on these three points, and these rulings are given the force of law. Special licenses may be issued by the Commission to women physically defective, also for apprentices and learners, permitting them to work for less than the minimum rate of wages.

In 1915 the Commission undertook an exhaustive investigation of the canning industry of California.

COLORADO

The Colorado law, passed in 1913, provides for a State Wage Board of three members—at least one a representative of labor, at least one a woman and one an employer of labor. The duty of the Board is “to inquire into the wages paid to female employees over eighteen, and to minor employees under 18, in any mercantile, manufacturing, laundry, hotel, restaurant, telephone or telegraph business,” and if any member of the Board has “reason to believe the wages paid any such employees are inadequate to supply the necessary cost of living, maintain them in health, and supply the necessary comforts of life,” an investigation must be held. It is then the duty of the Board to fix the minimum rates, by time or piece, for such employees, and when two or more members of the board have agreed upon such rates a public hearing may be held. After such public hearing, or after thirty days’ notice, if no hearing is demanded, the Board shall fix obligatory rates of wages, and when such order has gone into effect, it shall be unlawful for any employer in such business to pay women and minor employees less than the minimum rate. Employers are given the right to appeal to the district court.

The Board may issue licenses to females who are over 18 and who are physically defective, permitting them to work for less than the minimum rate. Power is given to the Board to subpoena witnesses, and compel their attendance, to examine witnesses under oath, and to compel the production of papers, books, accounts, documents and records.

The Board employs a paid secretary, but the members of the Board are allowed only necessary traveling and incidental expenses incurred in the performance of their official duties. The Board as at first constituted included two women.

KANSAS

The first two sections of the Kansas law—which was passed in 1915 —read “That the State of Kansas, exercising herewith its police and sovereign powers, declares that inadequate wages, long continued hours, and unsanitary conditions of labor, exercise a pernicious effect on the health and welfare of women, learners and apprentices, and minors.”

“That it shall be unlawful to employ women, learners, apprentices and minors in any industry or occupation in the State of Kansas under conditions of labor detriment to their health or welfare or at wages which are not adequate for their maintenance or for more hours in any one day than is consonant with their health and welfare.”

An Industrial Welfare Commission is then created with power to establish “such standards of wages, hours and conditions of labor for women, learners and apprentices, and minors as shall be held hereunder to be reasonable and not detrimental to health and welfare.” The Commission consists of the Commissioner of Labor and two other members, appointed by the Governor, of whom one, at least, shall be a woman. Necessary expenses of the commissioners are paid, but they receive no salary. The Board may at its discretion investigate wages and conditions in any industry; but on the request of not less than 25 persons engaged in any occupation in which women and minors are employed, it becomes the duty of the Commission to make an investigation.

After investigation and public hearings the Commission may constitute a wage board, consisting of three representatives of the employers 80 in the occupation in question, and three of the employees, with one or more disinterested persons appointed by the Commission. All pertinent information is submitted to the Board, which must then fix the minimum wage rates, the hours of labor and other sanitary conditions necessary for the women and minors employed. The determinations of the Board are reviewed by the Commission, and, if approved, orders may be issued making them

obligatory. Employers paying less than the minimum rates, employing women or minors for more than the maximum hours, or violating the rules prescribed for conditions of labor, shall be guilty of a misdemeanor, but employers are given a right of appeal from the orders of the Commission to the district courts. During the pendency of any such action, the orders or rulings complained of shall remain in full force.

MASSACHUSETTS

The Massachusetts Minimum Wage Commission was created by an act of 1912, by which it was given power to investigate and determine rates of wages, but no power as concerns hours or conditions of labor. The act as amended in 1914, provides for a commission of three persons, "one of whom may be a woman," to be appointed by the Governor with the advice and consent of the council. Each commissioner receives ten dollars a day for each day of actual service in addition to traveling and incidental expenses.

If, after investigation, the Commission is of the opinion that the wages paid to a substantial number of female employees in any occupation are inadequate to supply the necessary cost of living, it shall establish a wage board, consisting of equal numbers of representatives of the employers and of the female in said occupation, and one or more disinterested persons appointed by the Commission to represent the public, one of whom shall be chairman. The Commission may transmit to such board all information in its possession relative to the wages paid in the occupation in question. Each wage board shall take into consideration the needs of the employees, the financial condition of the industry, and the probable effect on it of an increase in wages. When a majority of the members of such board agree on a minimum wage determination, it shall report to the Commission. The Commission may approve any or all of the determinations, or may recommit the subject to the same or to a new board. If the Commission approves any of the determinations it must hold public hearings of the employers. If after such hearing, it approves the determinations, it shall enter a decree of its findings, and shall take note of the employers who conform and of those who refuse to conform to the rates fixed.

In the law as passed in 1912, the Commission was directed to publish the names of the employers who refused to pay the minimum rates; but in 1913 the law was amended giving a discretionary power to the Board as regards publication, and the method of the Commission seems to be to publish a white list of those employers who pay the minimum rates, rather than a black list of those who refuse to pay. No liability ⁸¹ attaches either to the board or to the newspapers for the publication of the names of employers who refuse to be bound by the findings of the Commission,

and a newspaper is bound to publish—at ordinary advertising rates—lists of names furnished by the Commission.

Special licenses may be issued by the Commission to women physically defective, permitting them to work for less than the minimum rates.

The Commission has power to inquire into the wages to minors and to make determinations for them in the same manner as for women workers.

MINNESOTA

The Minnesota act was passed in 1913. It refers only to wages, and it establishes a Minimum Wage Commission consisting of three persons, the Commissioner of Labor, who is chairman, an employer, and a woman, who is also secretary of the Commission.

The Commission is empowered to investigate wages in any occupation at its discretion, but at the request of not less than 100 persons engaged in any occupation, an investigation is obligatory.

Employers must keep records of wages and permit their inspection by the Commission. The Commission shall hold public hearings at which it may subpoena witnesses and administer oaths; and if after investigation the Commission is of opinion that the wages paid to one-sixth or more of the women or minors employed are less than a living wage it shall proceed to fix legal minimum rates of wages in such occupation.

Orders issued by the Commission shall be sent to each employer affected and must be posted by such employers.

The Commission may appoint advisory boards representing employers, employees and the public, each board to have the same power as the Commission in regard to inspecting books, subpoenaing witnesses and administering oaths. The advisory boards will recommend reasonable rates of wages to the Commission, and after review by the Commission these rates may be ordered as the legal minimum. Payment of less than the legal minimum thereafter is punishable as a misdemeanor.

Special licenses may be issued to women physically defective permitting them to work for less than the legal minimum rate.

The traveling and other necessary expenses of the Commission are defrayed by the State and the woman secretary receives a salary of \$1,800 per annum.

The act appeared so ambiguous, that before starting work the Commission addressed a number of questions to the Attorney-General of Minnesota, and on account of the delay caused by this need for information no orders were issued until October, 1914, to be effective on November 22, 1914. On the day the wage orders were to have gone into effect an injunction was obtained from the Detroit Court restraining the Commission from enforcing the wage orders, or performing any official acts. In February, 1917, the act was pronounced constitutional by State Supreme Court.

NEBRASKA

By an act of 1913, there was established the Nebraska Minimum Wage Commission, composed of the Governor, a deputy commissioner of labor, a member of the political science department of the University of Nebraska, and one other member—at least one member of the Commission must be a woman.

The act is based on the Massachusetts model. It provides for the establishment of wage boards, whenever the Commission is convinced that the wages paid to a substantial number of female employees in any occupation are inadequate. The wage board must consist of three members and after investigation, if two-thirds of the board agree upon a minimum wage determination, they shall report to the Commission. After reviewing the findings, if the Commission approves them it shall hold public hearings of the employers, and on finally approving the determination it shall publish them and notify all employers. It shall note the names of employers, so far as may be known to the Commission, who fail or refuse to abide by the determinations; and within 30 days it shall publish the names of all such employers in at least one newspaper in each county, together with the materials part of its findings, and a statement of the minimum wages paid by such employers.

On filing a declaration under oath that payment of the minimum wages fixed by the Commission would endanger the prosperity of his business, an employer is given the right to appeal to the district court for a review of proceedings, and if the court finds such declaration justified, the name of the employer shall be omitted from the lists as published.

The Commission is given power to inquire into wages paid to minors and to make determination in regard to them.

Special licenses may be issued to women physically defective permitting them to work for less than the minimum wages fixed in their occupation.

No appropriation was made in 1913 for the carrying out of the Nebraska law, and consequently no commission was appointed. In 1915 the Legislature appropriated \$500 for the expenses of the Board, and it became possible to make a beginning. No further appropriation could be available until the session of 1917.

OREGON

The law creating the Oregon Industrial Welfare Commission came into force on June 3rd, 1913, and one June 4th the commissioners, who had already been named, met and organized for work. The scope of the law is much wider than the Massachusetts and Nebraska laws. The preamble states:—"Whereas the welfare of the State of Oregon requires that women and minors should be protected from conditions 83 of labor which have a pernicious effect on their health and morals, and inadequate wages and unduly long hours and unsanitary conditions of labor have such a pernicious effect."

The law provides that it shall be unlawful to employ women or minor in any occupation for unreasonably long hours, or under such surroundings or conditions—sanitary or otherwise—as may be detrimental to their health or morals, or for wages which are inadequate to maintain them in health, and it shall be unlawful to employ minors for unreasonably low wages.

To carry out these provisions a commission is created, composed of 3 persons—one to represent the employers, one the employees and one the disinterested public. No specification as to sex is mentioned, but the first commission consisted of one man and two women, with a woman as secretary. The commissioners receive no salaries, but are reimbursed for all necessary expenses.

The Commission is empowered to ascertain and declare standards of conditions of labor for women or minors, and what surroundings—sanitary or otherwise—are detrimental to their health or morals; standards of hours of employment and what are unreasonably long hours; standards of minimum wages and what wages are inadequate to the necessary cost of living for women worker and to maintain them in good health, and what are unreasonably low wages for minors.

Power is given to the Commission, either personally or through an authorized representative, to inspect books and examine payrolls of any employers and to require true statements from employers concerning hours and conditions of work or wages paid to women or minors. The

Commission may hold hearings and subpoena witnesses and administer oaths to witnesses at such hearings—witnesses to be paid mileage and a per diem allowance.

When convinced of the need of determinations concerning wages, hour or conditions, the Commission may call a conference to be composed of not more than three representative of the employers, three of the employees and three disinterested members of the public, and one or more commissioners. The conference must report to the Commission, recommending standard hours, conditions and wages. If the Commission approves these recommendations, it shall hold a public hearing—duly advertised; and after this hearing it can make an order adopting any of the recommendations and requiring all employers in the occupation concerned to comply with the order—mailing a copy of the order to each employer affected. The employer must then post the order in a conspicuous place in each room of his establishment in which women work. The maximum number of hours permitted in such order must not be greater than the maximum fixed by law. Employers who fail to comply with such orders shall be prosecuted and on conviction fined not less than \$25 nor more than \$100, or imprisoned from 10 days to 3 months or both. A right to recover the full amount of the minimum wage, less what has already been paid to her, is given to every woman who comes under such order, and the employer shall also pay her attorney's fee.

Licenses may be issued to women physically defective permitting them to work for less than the minimum wage.

The sum of \$3,500 was appropriated for the first year's working of the act.

On October 14, 1919, suit was brought against the Industrial Welfare Commission on the ground that the act creating it was unconstitutional. The complaint was based on an order affecting the women in the factories of Portland, which provided for an 9-hour day, or 54-hour week, and a minimum of \$8.64 a week for adult workers. The law was declared constitutional in the Circuit Court, and was carried to the State Supreme Court, where Mr. Louis D. Brandeis and Miss Josephine Goldmark submitted a brief in its favor. On March 17, 1914, the court handed down a decision upholding the constitutionality of the law. Thereupon another case was brought against the Commission on the ground that its rulings would deprive a woman of the right to work. The law was again upheld in the State courts, and appealed to the United States Supreme Court. In February, 1917, the decision of the Supreme Court had not been handed down.

In spite of the effort to overthrow the Commission there was no interruption in its work. In the first 18 months of its existence it met 73 times, and carried out two important investigations—into the canning business and into the laundry business of Portland—besides many minor investigations.

UTAH

Utah is the only State which has established a minimum wage by law, without the creation of a Commission. The law was passed in 1913. It provides that "it shall be unlawful for any regular employer of female workers in the State of Utah to pay any woman less than the wage specified." The rates specified are: For minors under 18, not less than 75 cents a day; for adult learners and apprentices, not less than 90 cents a day; for experienced adults, not less than \$1.25 a day. It is also provided that the period of learning or apprenticeship shall not extend over more than one year. It is a misdemeanor to pay less than the minimum wage and the enforcement of the law is in the hands of the Commissioner of Immigration, Labor and Statistics of the State. City, county and State prosecuting officers must prosecute for all violations of the law, just as for other misdemeanors.

The Utah law went into effect May 13, 1913, and in the first seven months of its operation the Labor Commissioner reported that his department had collected over \$5,000 in back pay for employees not receiving the minimum wage. About 12,000 women and girls were affected, and at first there was considerable opposition on the part of small employers. After further experience, it was found that the payroll was seldom increased more than two or three per cent, and that 85 employers found that the greater efficiency shown by better paid employees amply compensated for the extra outlay.

WASHINGTON

By an act which came into force on July 31, 1913, Washington created an Industrial Commission and defined its duties. The act declares it unlawful to employ women or minors in any industry or occupation under conditions of labor detrimental to their health or morals, or at wages not adequate for their maintenance. The duty of the Commission is to establish such standards of wages and conditions of labor for women and minors as shall be held to be reasonable and not detrimental to health and morals, and which shall be sufficient for the decent maintenance of women.

The Commission consists of five person, none of whom shall be a member of any manufacturers' or employers' association or of any labor union. There is no stipulation concerning the sex of the members, but on the board, as appointed by the Governor in 1913, there were three women. Commissioners receive no salaries, but necessary expenses are paid by the State.

It is the duty of the Commission to ascertain wages and conditions of labor of women and minors (under 18) in the various occupations, traders and industries in which they are employed in the State; and if after investigation it finds that the wages paid are inadequate to supply the necessary cost of living and to maintain the workers in health, or that the conditions of labor are prejudicial to health or morals of the workers, it is empowered to call a conference. The conference shall be composed of an equal number of representatives of employers and employed in the industry in question, together, with one or more disinterested persons to represent the public, and the conference shall recommend to the Commission an estimate of the minimum wage for the industry and standard conditions demanded for the health and morals of the employees. If the commission approve these recommendations, it can issue orders putting them into effect. Special licenses may be issued to women physically defective or crippled by age, or to apprentices in occupations which require a period of apprenticeship, authorizing such women to work for less than the minimum wage.

Any violation of the act is a misdemeanor to be punished by a fine of from \$25 to \$100. Employees may recover the full amount of the minimum wage together with costs and attorney's fees, notwithstanding any agreement to work for less.

WISCONSIN

Laws were passed in Wisconsin in 1913 restricting the hours of labor of women and minors and also providing for minimum rates of wages, and the Industrial Commission, which was charged with the administration of all labor laws, was given power, jurisdiction and authority 86 to investigate and determine, and to issue general or special orders with regard to these matters. Unlike the Commissions in other States, it has many functions and was not specially created to carry out the new duties. The Commission consists of three persons, and it is the only one of the Industrial Commission, with power over minimum wage rates, which has no woman in its membership. Each commissioner receives a salary of \$5,000 and all necessary expenses are defrayed by the State.

The Minimum Wage Law of 1913 provides that every wage paid by any employer shall be not less than a living wage; except that any female or minor who is unable to earn the living wage determined upon shall be granted a license to work for a wage commensurate with her ability. The rate at which such license may work must be stated on her license, and she shall not be employed at a wage below the specified rate.

If upon investigation the Commission finds that there is reasonable cause to believe that the wages paid in any industry or occupation are less than a living wage, it shall appoint an advisory wage board, selected so as fairly to represent employers, employees and public, to assist in its investigations and determinations. The living wage, so determined upon, shall be the wage for all females or minors in the occupation as classified by the Commission.

Any violation of the act is a misdemeanor, and each day of violation constitutes a separate offence.

The power of the Wisconsin Industrial Commission to make orders was declared unconstitutional by the State Supreme Court in a decision handed down in May, 1916. An effort was made for a rehearing of the case (*State v. Lange Canning Co.*). The Court refused to reopen the case, but in January, 1917, it announced the withdrawal of its opinion that there had been an attempt to delegate legislative authority to the Commission. The Commission was thus left free "to ascertain the facts and to apply the rules of law thereto under the prescribed terms and conditions."

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ADDENDA

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ADDENDA

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MOTHERS' PENSIONS

State laws providing pensions for mothers in order to enable them to keep their children with them after the loss of the bread-winner, belong entirely to the last six years. The first mothers' pension law was passed in Missouri and went into effect in June, 1911. Its operation was limited to Jackson County, where Kansas City is situated; but later in 1911 a law was passed giving St. Louis power to establish a board of children's guardians by city ordinance. This board had authority to board out children with their own mothers, and St. Louis entered upon this experiment in 1912. Before this, Illinois had passed a "Funds to Parents Act," much more comprehensive than the first Missouri law. The Illinois law which went into operation on July 1, 1911, was quickly copied by other states, and at the beginning of 1917 there were 29 states which had passed mothers' pension laws.

Following is a summary of the provisions of the several state laws:

ARIZONA

The mothers' pension law of Arizona was submitted by initiative petition and received popular endorsement at the polls in 1914. It was, however, pronounced unconstitutional in the Superior Court of Maricopa County in 1915, and the case was appealed to the State Supreme Court where the decision was upheld. It provides that:—

All widows who are mothers of dependant children, and also wives whose husbands are confined in state institutions who have children under 16 looking to them for support, shall be entitled to \$15 a month for one child and if there are more children, to \$15 for the first child and an additional \$6 for each other child in their keeping under the age of 16.

CALIFORNIA

Under a provision of the California Constitution, the state had been paying for every orphan, \$100, and for every half-orphan \$75 a year to institutions in which needy orphans were cared for. A liberal construction of the law had permitted the payment of this sum to the mothers of such orphans when the children remained at home. An act of 1913 amended the older law by providing that "in addition to the amount paid by the State for each orphan maintained at home by its mother, the county, city and county, city, or town may pay for the support of such half-orphan an amount equal to the sum paid by the State." In case such aid be refused, the mother, backed by five reputable 90 citizens, is given the right of direct appeal to the State Board of Control.

To enjoy the benefit of the act the children must be under 14, and the parent or parents must have resided in the state for at least three years, or have become citizens of the State.

COLORADO

A mothers' pension act was adopted by popular vote in Colorado 1912. It became law upon proclamation by the Governor in 1913. The law provides that:—

If the parent or parents of such child are poor and unable to properly care for such child, but otherwise are proper guardians, and it is for the welfare of such child to remain at home, the court may enter an order fixing the amount of money necessary for the case of such child, and it shall

be the duty of the commissioners vested with power for the relief of the poor to pay the money to the parent or parents. Children for whom such payments are made must not be over 16 years old. The act also provides for the establishment of facilities for the detention and employment of men convicted of nonsupport. The money earned by these men goes into the fund for the carrying out of the act, and it is specifically stated that "this act shall be liberally construed for the protection of the child, the home and the State, and in the interest of public morals and for the prevention of crime."

IDAHO

Idaho passed a mother's pension law in 1913. The chief provisions of the act are as follows:—

The probate judge of each country is given power to make provision for the partial support of women whose husbands are dead, or confined in the penitentiary or in an insane asylum, when such women are poor and are mothers of children under 15 years old, and such mothers and children reside in the country.

The allowance must not exceed \$10 a month for one child, and five dollars in addition for each of the other children under 15 years of age.

The child or children must be living with the mother; and the allowance shall be made only if without it the mother would be obliged to work regularly away from home, while with it she is enabled to remain at home with her children. The mother must in the judgment of the probate court be a fit person to bring up her children, and she must have been a resident of the county for two years before applying for aid.

ILLINOIS

The Illinois law of 1911—the first general mothers' pension law in any state, was amended in the session of 1913 and again in 1915. As it now stands the law provides that:—

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A woman whose husband is dead, or permanent incapacitated by physical or mental infirmity, who has resided in the county for three years and is the mother of a child or children may file an application for relief. If after investigation and hearings the appeal is accepted, an allowance may be made to the mother not exceeding \$15 a month for one child under 14, nor \$10 a month for each of the other children—in no event to exceed \$60 a month. Relief may be granted for a child over 14

and under 16, if the child be ill or incapacitated for work, such relief to cease with the removal of the incapacity.

Before relief is granted the following facts must be ascertained:—That the children are living with their mother, and that it is for their welfare to remain with her; that without such relief the mother would be required to work regularly away from home, but that with it she can remain at home with her children, except for such definite number of days each week as may be specified in the order of the court during which she may perform such work as can be done without sacrifice of health, or neglect of her home; that the mother is a fit person to care for her children; that she is not the owner of real or personal property, except household goods; that she is a citizen of the country or has made declaration of intention to become a citizen of the United States, and has resided for 3 years in the country where such application is made, and is the mother of a child or children.

IOWA

The Iowa Mothers' Pension Law was passed in 1913. Under it the authorities given jurisdiction over the granting of pensions to mothers are the district and superior courts, and any reputable resident of the county is given the right to file a petition with the clerk of the court on behalf of a child who appears to be dependent, neglected or delinquent. If the court finds that the mother of such dependent or neglected child is a widow and poor, and unable to care properly for the child, but is otherwise a proper guardian, and that it is for the welfare of the child to remain at home, the court may enter an order fixing the amount of money necessary to enable the mother to care for the child; provided that the amount for any such child shall not exceed two dollars a week. Payment ceases upon the child attaining age of 14 years. Any mother whose husband is an inmate of an institution under the care of the board of control, shall for the purposes of this act be considered a widow, but only while her husband is so confined.

KANSAS

Kansas passed a Mother' Pension Law in 1915. The payment of the pension was put within the discretion of the Boards of County Commissioners. The conditions for the granting of a mother's pension are that the mother shall have sole care and custody of a child or children under 16, by reason of widowhood, of her being divorced, of her husband being physically or mentally unable to earn a living for himself or family, of his being confined in some State institution, or of his having deserted the mother without just cause for three months last past. The mother must have been

a resident of the county for a year, and must be a provident woman of good moral character and fit to have the care and custody of her children. She must also be financially unable to support such children. In all such cases, the law provides that it shall be the duty of the commissioners to pay the mother such sum monthly as may be reasonably necessary for the support of herself and children, the total sum for any mother not to exceed \$25 a month. Each application for a pension must be investigated by three reputable women residing in the township or city, and not related to the applicant.

MARYLAND

The Maryland Legislature passed a Mothers' Pension Act in the session of 1916. The administration of the act is entrusted to the county commissioners, with the provision that a Board for Mothers' Relief may be created for Baltimore City—the Board to consist of three members, not more than two of whom shall be of the same sex. The creation of this board is at the discretion of the Mayor and City Council.

The allowance to any mother must not exceed \$12 a month for one child under 14. If she have more than one child, the allowance is limited to \$12 for the first child, \$10 for the next child, and \$6 a month for each additional child, not however to exceed a maximum of \$40 a month for one family. A tax levy of not more than one-tenth of a mill may be made to provide funds for carrying out the act.

The conditions under which the pensions may be granted are: That the child or children must be living with the mother; that the relief shall be granted only when without it, the mother would be required to work regularly away from her home and children, and when by means of it she will be able to remain at home with her children, except that she may be absent for work a specified number of days each week, when this can be done without sacrifice of her health or neglect of home and children; that the mother must be a proper person, worthy and fit to bring up her children; that the mother is not the owner of real or personal property other than household goods; that she shall have resided in the county where the application is made, or in the City of Baltimore, for at least three years before making such application.

There is a further provision that if a child of fourteen be ill or incapacitated for work, the allowance may be continued, during such illness or incapacity, until the child is sixteen.

MASSACHUSETTS

The Massachusetts law was passed in 1913. The authority to whom the administration is entrusted is the overseers of the poor. The law applies to mothers of children under fourteen and it is provided that the 93 aid furnished shall be sufficient to enable the mothers to bring up their children properly in their own homes, and such mothers and children shall not be deemed paupers by reason of receiving such aid.

The conditions under which pensions may be granted are that the mother is fit to bring up her children, and that the other members of the household and the surroundings of the home are such as to make for good character; that aid is necessary, which is to be ascertained by a careful inquiry into the resources of the family and the ability of other members to contribute to its support, the existence of relatives able to assist or of societies or agencies interested in the family. Before granting a pension every effort is to be made to compel relatives and members of the family to support the mother and children and to secure work for those members who are able to work. A mother to whom such aid is given must have been a resident of the State for not less than three years.

MICHIGAN

In Michigan the mothers' pension law was passed in 1913. The law is remarkable in that it places the age of dependent children as high as 17, and also in including unmarried mothers. The law provides that if a mother of a dependent or neglected child is unmarried, or is a widow, or has been deserted by her husband, or is divorced, and is poor and unable to care and provide for the child, but is otherwise a proper guardian, and it is for the welfare of the child to remain with its mother the probate court may enter an order fixing the amount of money necessary for the mother to properly care for the child. The amount is not to exceed three dollars a week for each child. Jurisdiction is given to the probate courts, but power may be delegated to judges of the circuit court.

An earlier Michigan law, passed in 1911, and not superseded by the law of 1913, provides means whereby children of indigent parents may attend school. Under it in any case in which children are found by truant officers to be unable to attend school because their services are absolutely required for their own support, or the support of their family, the truant officer shall report the case to the Board of Education which shall be authorized to grant such relief as will enable the child to attend school during the entire school year. The allowance payable may not exceed \$3 a week for one child, nor \$6 a week to any one family. The payment of the allowance is put in the hands of the truant officer, but investigation of the cases must be made by the juvenile court in any city having such a court.

MINNESOTA

The Mothers' Pension Law of Minnesota was also passed in 1913. The age limit in this State is 14, and the mother to whom aid may be extended must be a widow, or if her husband is living, he must be either an inmate of a penal institution or insane asylum, or unable on account of physical disability to support his family. She must be unable for want of adequate means to properly care for her child, but must be otherwise a proper person to have custody of it, and the welfare of the child must be subserved by permitting it to remain with its mother.

Jurisdiction is given to the Juvenile Court in counties of over 50,000; in counties under 50,000 to the Probate Court. After determining the facts, the court may order the county to contribute not more than \$10 a month for the support of a child in the home of the mother. The mother must have resided in the county for one year and in the State for two years previous to the making of such an order.

MISSOURI

The pioneer mother's pension law of Missouri of 1911, was amended in 1913. By a population limit the law is made to apply only to Jackson county—it applies only to counties having from 250,000 to 500,000 population—but the city of St. Louis has a mothers' pension system administered under city ordinance. The State law, as administered in Kansas City, sets apart \$12,000 for the partial support of women whose husbands are dead, or are prisoners confined in insane asylums, when such women are poor, and are the mothers of children under 14, and when the mothers and children are residents of the county.

The allowance to each mother must not exceed \$10 for the first child, and \$5 a month for each of the other children 14. Jurisdiction is given to the Juvenile Court, and the allowances may be made only under the following conditions:—The child or children must be living with the mother; without such allowance the mother would be required to work regularly away from home, while with it she will be able to remain at home with her children; the mother must be a fit person, morally, physically and mentally for the bringing up of her children; the allowance must be necessary to save the children from neglect, and the persons receiving such allowance must have been for two years residents in the county.

The St. Louis ordinance applies only to widows, and the amount paid must not be more than \$3.50 a week for each child.

MONTANA

The Montana Mother's Pension Law was passed in 1915. The age limit under it is 14, and it applies to every child whose father is dead or is the inmate of some Montana institution of charity or correction, or is physically or mentally unfit to work, which act of disability shall have occurred while a resident of the State. The allowance that may be made to the mother of such child shall not exceed \$10 a month for one child; \$7.50 a month additional for the second child and \$2.50 each for any additional children.

The conditions on which the allowance is made are that the children must be living with the mother; that without such aid the mother would have to work regularly away from home, while by means of it she shall be enabled to remain at home with her children; the allowance must be necessary to save the children from neglect; the mother must be a fit person physically, mentally and morally to care for the children, and she must have been a resident of the county for two years previous to the granting of the allowance.

NEBRASKA

In 1913 the Nebraska Legislature amended the law constituting Juvenile Courts and providing for the care of neglected or delinquent children, so as to permit of the granting of mothers pensions. In 1915 a new law was passed, which took the place of the amendment. Under the new law a petition may be filed in the County Court of any county for relief, and if the court finds the allegations of the petition are true and that the petitioner is poor and unable to care properly for her child or children, but is otherwise a proper guardian, and that it is for the welfare of the children to remain at home under the guardianship of their mother, the court may make an order fixing the amount of money necessary to enable the petitioner to care for her child or children, and shall certify his findings to the Board of Supervisors or Commissioners. It is then the duty of such board to pay the amount specified until further order of the court. Not more than \$10 a month may be paid for each child and no order is effective for more than six months.

The conditions on which a pension may be granted are that the person is the parent of a child or children, and that she her children have been for two years residents of the State Nebraska, and

residents of the county for one year, and that such residence was not acquired with the intention of applying for relief under the act; that she is trying to maintain a home, and that by reason of limited means she is not able to properly care for, maintain and educate such child or children.

There is nothing in the Nebraska act to exclude payments to fathers. The word "person" is used and in the title the act is described as an act to provide pensions for mothers and guardians of dependent and neglected children.

NEVADA

The first Nevada mothers' pension law, which was passed in 1913, was an amendment of an older law concerning the guardianship of dependent or neglected children. An entirely new act was passed in 1915. the new law makes it the duty of the County Commissioners to provide funds and to make allowances "for the support of woman whose husbands are dead, or are inmates of a penal institution or an insane asylum, or who are abandoned by their husbands and such abandonment has continued for more than a year, or because of the total disability of their husbands, and who are unable to support their children."

The allowance is limited to \$15 a month for one child under 15, and, if more than one child under 15, to \$15 a month for the first child, and \$5 for each other child.

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The conditions of the granting of a pension are that the child or children must be living with the mother; that by means of the allowance the mother will be able to maintain a home for her child or children; that the mother must be a proper person, morally, physically and mentally for the bringing up of her children; that the mother shall have been a resident of the county for one year before applying for a pension.

NEW HAMPSHIRE.

New Hampshire passed a mother's pension law in 1913. This was superseded in 1915 by a new law taking the administration of the pensions from the county commissioners and vesting it in the department of public instruction. Petitions for pensions must be filed with the school board of the town where the mother is resident, and after investigation the school board must make recommendations to the department of public instruction.

The conditions under which aid may be granted are that the child or children must be living with the mother; that without the allowance the mother would be required to work regularly away from home, and by means of it she can remain at home with her children; that the mother must a fit person morally, physically and mentally for the bringing up of her children; and that she has been a resident of the State for two years before making the application. The provisions of the law do not apply to any woman who is not dependent on her own efforts for the support of herself and family, and who is not at time of making the application of good repute and making an earnest effort for self-support.

The age limit of the children for whom a pension may be paid is 16. For one child the allowance may not exceed \$10 a month, and if more than one, \$10 for the first child and \$5 a month for each other child.

NEW JERSEY

The New Jersey act, which was passed in 1913, and amended in 1915, is entitled: "An act to promote home life for dependent children." It provides that any widow who is the mother of a child or children under 16, and who is unable to support them, may petition the court of Common Pleas for the county in which she has been a resident for five years for assistance. The petition must contain her name, the name and date of death of her husband, the names of her children and the dates and places of their birth and her marriage; a statement of the length of time she has been a resident in the State and of her places of abode and movement during the previous five years; a statement of all property belonging to her and her children; a statement of the efforts made by her to support her children; and of the names, relationships and addresses of all her and her husband's relatives that may be known.

After investigation and a hearing, if the court concludes that unless relief is granted the mother will be unable to properly support and educate 97 her children and that they may become a public charge, it may order the payment to the mother of an allowance out of the county funds. The allowance must not exceed \$9 a month for one child, \$14 for two, and \$4 for each additional child.

It is made the duty of the State Board of Children's Guardians to see that the widow is properly caring for her children, that they are sufficiently fed and clothed, that they attend school regularly and receive proper religious instruction; and that family be visited at least six times a year.

NEW YORK

By an act passed in 1913, New York established a commission to inquire into the subject of pensions for widowed mothers, and in 1915, after the commission had reported, a mothers' pension act was passed. This act created local boards of child welfare which should have the administration of the law, and it was provided that such board, when funds have been appropriated therefor, may grant an allowance to any dependent widow who is the mother of a child or children under 16 and who is deemed by the board a proper person, mentally, morally and physically to care for such children, provided that she has been a resident of the county or city where she applies for two years before making the application, and that her deceased husband was a citizen of the United States and a resident of the State at the time of his death. Before granting the allowance the board shall determine that aid is necessary and that if it not granted the children must be cared for in an institutional home.

The allowance granted must not exceed the amount necessary to the care of such child or children in an institutional home.

NORTH DAKOTA

The Mothers' Pension Law of North Dakota was passed in the session of 1915. It provides that any woman who has one or more children under 14 dependent on her for support shall receive an allowance of not exceeding \$15 a month for each child. The child or children must be living with the mother, and the allowance shall only be made when otherwise the mother would be unable to maintain a suitable home, and the children would be neglected. The mother must be a fit person to have the care of the children and she must have been a resident of the county for at least one year previous to making application. Application for aid must be made to the county court.

OHIO

The Ohio Mothers' Pension Law was passed in 1913, with an amendment adopted in 1915, and its administration was assigned to the juvenile court. Pensions may be given to women whose husbands are dead, or permanently disabled for work, physically or mentally, or prisoners, 98 and also to those whose husbands have deserted them for over three years, when such women are

poor, and are mothers of children not entitled to an age and schooling certificate, and when they have been resident in any county of the State for two years.

The allowance must not exceed \$15 a month for one child, and if there are more children it shall not exceed \$15 for the first child and \$7 for each of the other children. The homes of mothers receiving pensions must be visited by trained workers and reports made to the juvenile court.

The conditions on which pensions are granted are that the child or children are living with the mother; that in the absence of such allowance the mother would be required to work regularly away from her home, while with it she enabled to remain at home, except that she may go out to work such hours as the court deems advisable; that the mother is a proper person morally, physically and mentally for the bringing up of her children; that such allowance is necessary to save the children from neglect and to avoid breaking up the home; that it is for the benefit of the children to remain with the mother and that a careful preliminary examination of the home of such mother has been made and a written report of such examination filed.

In addition to this pension law, Ohio has an act providing for relief to be furnished out of the contingent funds of the school district to poor children to enable them to attend school.

OKLAHOMA

Oklahoma passed a mothers' pensions act in 1915. The act makes it the duty of the board of county commissioners to make a levy for the partial support of indigent women whose husbands are dead, or insane, or prisoners in any State institution, when such women are mothers of children under 14, and when such mothers and children reside in the county.

The allowance to be paid to any mother may not exceed \$10 a month for one child and if more children, \$10 for the first and \$5 a month for each other child. Application is made to the county court.

The conditions on which the allowance may be made are that the children must be living with the mother; that in the absence of such allowance the mother would be required to work regularly away from home, while with it she will be enabled to remain at home with her children; that the mother is a fit person, morally, physically and mentally to have the care of her children; that such allowance will save the children from neglect; and that the mother has been a resident of the county for two years previous to making the application.

Previous to the passage of this law, Oklahoma had provided that if a widowed mother make affidavit that the wages of her child or children, under 16 years of age, are necessary to the support of such widowed mother, a scholarship could be granted of an amount equal to so much of the wages that the child or children are receiving as may be deemed necessary; and that so long as the children attend school, this aid should be paid to the mother.

OREGON

The Oregon mothers' pension law was passed in 1913 and amended in 1915. It provides that every woman who has one or more children under the age of 16, and whose husband is dead, or an inmate of some Oregon State institution, or by reason of physical or mental disease is wholly unable to work, and whose support and the support of her children is dependent wholly or partly on her labor, shall be entitled to assistance.

The amount of the allowance is limited to \$10 a month for one child under 16, and if more than one, to \$7.50 for each of such additional children, but whole amount may not exceed \$40 per month. If the woman have any other income the amount of it must be deducted from the amount of the allowance.

It is stated in the act that the purpose of the act is to keep the children under the guidance and control of their mother, and that the mother shall make a home for the children; and if any mother in the opinion of the juvenile court, is improvident, careless or negligent in the expenditure of the money received, the court may designate some person to whom the money shall be paid for the support of the mother and children.

The act applies only to women who have been resident of the State for three years and residents of the county in which application is made for one year.

PENNSYLVANIA

The Pennsylvania act, which was passed in 1913, was made optional with the counties. If the county desire to avail itself of the act the Governor of the state appoints not less than five or mother than seven women, residents of the county, to act as trustees for the carrying out of the act. These trustees are appointed annually, and receive no pay, but are permitted to charge traveling expenses, and allowed a stenographer, headquarters, etc. An appropriation of \$200,000 was made by the state

to be appointed to the counties for the first two years of the working of the act. A State Supervisor was provided in an amendment adopted in 1915.

The trustees before recommending payment of a pension to any widow or abandoned mother, must be thoroughly satisfied that the recipient is worthy in every way, and that in order to keep her children in her own home a monthly payment is necessary, and they must have reports from the school stating that the children are attending school, if they are of age, and are physically fit to do so. The maximum payment may not exceed \$12 for one child, \$20 for two children; \$26 for three children, and \$5 for each additional child. The mother receiving such pension must have resided continuously in the county 100 for three years. Payment may not be made beyond the time that the law will permit a child to secure employment unless the child is physically incapacitated or at school, when it may be extended to 16 years.

SOUTH DAKOTA

The South Dakota mothers' pension law was passed in 1913 and its administration is entrusted to the county courts. It provides for the partial support of women whose husbands are dead, or permanently disabled for work by physical or mental infirmity, or prisoners, when such women are poor and are mothers of children under 14. An amendment passed in 1915 included women who had been granted a divorce in the state.

The amount of the allowance may not exceed \$15 a month for one child under 14, if there be more than one child, \$15 a month for the first, and \$7 a month for each other child under 14.

The conditions on which the pension may be granted are that the children are living with the mother; that in the absence of such allowance the mother would be required to work regularly away from home, while with it she can remain at home with her children, except that she may be absent for not more than one day a week for work; that the allowance is absolutely necessary for the proper care and education of the children; that the mother is a proper person, morally, physically and mentally for the bringing up of her children; that the allowance is necessary to save the children from neglect and to avoid the breaking up of the home; that it is for the benefit of the child to remain with the mother; and that a careful preliminary examination of the home has been made and a written report of such examination filed with the court.

TENNESSEE

A mothers' pension law was passed in Tennessee in 1915. Its administration was entrusted to the juvenile courts. An amount not to exceed \$4,000 may be appropriated for the carrying out of the law by any county having a juvenile court or which may establish one.

The women eligible for pensions are those whose husbands are dead or so disabled mentally or physically as to be unable to aid in supporting the family, when such women are poor and are mothers of children under 16.

The allowances are limited to not more than \$10 for one child; if more children; to \$10 for the first child and \$5 for each additional child.

The conditions on which the pensions are granted are that the children are living with the mother; that in the absence of such allowance the mother would be required to work regularly away from home, while with it she can remain at home with her children; that the allowance is necessary for the proper care and education of the children; that the mother is a proper person, morally, physically and 101 mentally to have the charge of her children; that the allowance is necessary to save the children from neglect, and that the mother has been for two years a resident of the state and for one year a resident of the county.

UTAH

Utah passed a mothers' pension law in 1913 for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children. The administration is in the hands of the county commissioners, who are empowered to provide funds not exceeding \$10,000 in any one year for the carrying out of the act. In counties of 100,000 or more, \$20,000 is the limit.

The allowance to any mother may not exceed \$10 a month when she has only one child under 15; if more children, \$10 for the first child and \$5 a month for each other child.

The conditions on which the pensions are given are that the child or children are living with the mother; that, without such allowance the mother would be required to work regularly away from he home, while with it she will be able to remain at home with her children; that the mother is a proper person morally, physically and mentally for the bringing up of her children; the allowance must be necessary to save the children from neglect; the mother must have been resident in the county for two years before making application.

WASHINGTON

The Washington mothers' pension law, which was also passed in 1913, and amended in 1915, is very similar to that of Utah. It provides for the support of women whose husbands are dead, or inmates of a penal institution or insane asylum, or because of total disability of their husbands. Such women must be mothers of children under 15, and unable to support these children. They must also have been residents of the State for three years and of the county for one year before making the application.

The allowance to each mother may not exceed \$15 a month for one child under 15, and if there are more children, \$15 for the first child and \$5 a month for each additional child under 15.

The juvenile court is made the authority for the administration of the act, and the conditions on which pensions can be given are that the children must be living with the mother; that with such allowance the mother will be able to maintain a home for her children; that the mother is a proper person, morally, physically and mentally for the bringing up of her children; and that the mother shall have been a resident of the county for a year before applying for a pension.

WEST VIRGINIA

A mothers' pension act was passed in West Virginia in 1915. the administration of the law is put in the hands of the overseer of the 102 district, with an appeal to the county court in the case of the refusal or failure of the overseer to grant relief.

The law provides that whenever it shall appear to any overseer that there is in his district any woman who has a legal settlement in such district, and who has one or more legitimate children dependent on her who are in need of assistance, he shall immediately investigate, and if it appear that assistance is needed to enable such woman to remain with and care for such children, and that her husband is dead, or totally incapacitated by reason of mental or physical infirmity, or is confined in some state institution, or has abandoned his wife, and the family is dependent upon the mother for support, such assistance may be allowed the woman as may be reasonably necessary to enable her to maintain and care for her children at their home.

The amount to be granted must not exceed \$10 a month for one child, and \$5 a month for each additional child, the total amount to any one family not to exceed \$25 a month. The allowance for

any child may not be continued after the child reaches the age of 14. The amount allowed shall be expended in such manner as in the opinion of the overseer will best serve the interests of said family.

WISCONSIN

A temporary measure for the granting of mothers' pensions was passed in Wisconsin in 1913, and at the same time an investigation of the question by the board of control was ordered. In 1915 there was further legislation on the subject. The new law follows the former legislation in providing that if any person have knowledge that any child is dependent on the public for support and that it is neglected or its health endangered, such person may bring any such fact to the notice of a judge of the juvenile or of the county court.

After investigation the judge may grant aid to such child or to its parents, or to any person having care and custody of it, or may make any other disposition of such child as he may deem wise.

Aid may be granted on the following conditions: That there be one or more children living with and dependent on the mother or grandparents or person having the care and custody of such children, one or more of whom shall be under the age of 14; the mother, grandparent or such other person must have been a legal resident of the county at the time of the notice for such aid; the mother must be a widow, or the wife of a man incapacitated by permanent mental or physical disability, or of a man who has been sentenced to a penal institution for one year or more, or of a man who has deserted her for one year or more; the mother, or grandparent or other person must be of good moral character and the proper person to have the care and custody of the children; the period of aid must be likely to continue longer than one year, and the aid must be reasonably necessary to save the children from neglect or danger to health.

The amount of aid is limited to \$15 a month for the first child, 103 and \$10 a month for each additional child, in no case more than \$40 a month.

WYOMING

A mothers' pension law was passed by the Wyoming Legislature in 1915. Its administration was entrusted to the district courts. The law provides that an allowance may be made to any woman whose husband is dead or permanently disabled for work by physical or mental infirmity, or has

deserted her for over a year, and such woman is poor and is the mother of children under 14, and has been a legal resident in the county for one year.

The amount of the allowance may not exceed \$20 a month for one child, and, if there are more children, \$20 for the first child and \$10 for each additional child.

The conditions on which the pensions may be granted are that the children must be living with the mother; that without such allowance the mother would be required to work regularly away from home, while with it she can remain at home with her children, except for work for such time as the court deems advisable; that the mother must be a proper person, morally, mentally and physically to bring up her children; that such allowance is necessary to save the children from neglect and to avoid breaking up the home; and that it must appear for the benefit of the children to remain with their mother.

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ADDENDA

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PROPERTY RIGHTS OF MARRIED WOMEN

Under the old English law, the legal and civil existence of the wife was merged in that of her husband. A married woman could make no contract; she could neither sue nor be sued, nor dispose of her property by will. Her personal property, with unimportant exceptions, passed at marriage to her husband, who, being entitled to her services and companionship, could likewise appropriate her earnings. Of her real property, that is, land and objects attached to land, she retained the title, which passed at death to her heirs, according to the prevailing laws of inheritance, but her husband controlled its use, and appropriated the rents and profits during her life, and if she died first, retained control as long as he lived, provided there had been a living child born of the marriage. If he died first she acquired dower—that is, a life interest in one-third of his real property. This right accrued whether or not there had been children born of the marriage. She was also supposed to have a right to claim support from him, that is, she was entitled to those articles which accorded with the standard of living which he chose to maintain. This right was, however, substantially unenforceable, and the result was that she lost by her marriage her acting capacity, the ownership of her personal property and the control over her lands.

(One of the first steps in the emancipation of women from the old condition of subserviency has been the granting of property rights to married women! Some modification of the old law has been

made in every state, and in many states a married woman is now the absolute owner of her own property, and is able to make civil contracts and to sue or be sued on the same basis as a married man. The laws of inheritance have also been modified. In many states the old owner and curtesy rights have been abolished, and fairer laws of inheritance have taken their place. A woman may also get support from her husband, if she is willing to punish him for non-support—the law in this respect varies greatly in severity in the different states.

What is still lacking in the United States generally is a (legal recognition of the wife's claim to a share in the property of her husband or a share in his income when they are living together,) 106 and when his property may be the result of her economies and good judgment as much as of his business ability) . She may be equally as necessary to the support of the families as her husband, and her economic contribution may of as much value as the income of her husband. (But as yet no adequate protection for domestic women has been enacted, and none can be enacted until the full intelligence of women as well as of men is brought to bear on the problem. Such intelligence will not be available, nor it would be consulted by the law-makers, in the absence of full responsibility, (which can only come with full political enfranchisement) . At present the neglect of the woman's economic contribution to the home and to the support of the family, which is made when she is not a money-earner but a home-maker, is shown not only in the laws, but also in the census reports, and in the common opinion which reckons a woman to be unemployed when she has only the duties of the home to discharge.

No attempt has been made in this section to give completely or in detail the laws relating to the property rights of married women. Many subjects, such as the homestead laws, the particular rights of women living separate from their husband, etc., have been only incidentally mentioned. The aim has been to give a clear idea of the comparative advantages enjoyed by women in the various states. The compilation is believed to be substantially correct through 1915. The date of publication precludes in many instances an examination of the session laws of 1916.

The laws in the several states are as follows:—

ALABAMA

All property of the wife, whether acquired by descent, inheritance or gift, or by gift from her husband, and including her earnings outside of the family, is separate property of the wife, except only such property as may be conveyed to an active trustee for her benefit.

Husband and wife may contract with each other, but a wife may not become surety for her husband.

A married woman may dispose of her separate estate by will.

On the death of the husband without will, the widow, if there are no children, is entitled to all the personal estate; if one child, to one-half; if more than one child, to a child's part, but not less than one-fifth. In any case the widow gets personal property to the value of \$1,000.

The widow is entitled to homestead rights and to dower in her husband's real state, and to no more, unless deceased had no surviving parents, 107 no brothers or sisters or descendants of brothers or sisters. Widow then takes all. Dower is the interest of the widow in one-half of lands, if a solvent husband leaves no lineal descendants, or to one-third if there are lineal descendants, or his estate is insolvent. A widow is not entitled to dower if she have a separate estate equal to or greater in value than the dower interest, estimating the dower interest at seven years' rent of the dower property, and her separate estate, if less, is deducted.

A husband is entitled to one-half the personalty of a wife dying intestate, and to the use of her realty during his life.

ARIZONA

All the property of the wife, whether obtained before or after marriage, is her separate property.

The earnings of the wife and of her minor children living in her custody, when living separate from her husband, are the separate property of the wife.

All property acquired by husband or wife, except that acquired by gift, devise or descent, or earned by wife and minor children while living separate from her husband, is the common property of husband and wife. The community property is under the control of the husband, but the wife must join in all deeds for sale, mortgage or encumbrance of such common property.

Married women have the same legal rights as married men, except to make contracts binding the common property of husband and wife. The wife may contract debts for necessities on the credit of her husband, but for such debts she and her husband must be sued jointly.

On death of husband or wife intestate the survivor takes one-third of the separate personal estate and a life interest in one-third of the realty, the remainder going to child or children. If no child,

husband or wife takes one-half the realty and all the personalty; if no child and no surviving father or mother, husband or wife takes the whole of the separate estate. The surviving spouse takes the homestead and one-half the common property.

ARKANSAS

All property of the wife, real and personal, however acquired, is her separate property and may be bequeathed or conveyed by her. The separate property of the wife is not subject to the debts of her husband.

A married woman may carry on any trade or business, and her earnings shall be her sole and separate property. A husband is not liable for the contracts of his wife.

Every married woman shall have all the rights to contract and sue, and in law and equity shall enjoy all rights as though she were feme sole.

A widow is entitled to homestead rights, to one-third of the personal 108 estate and to dower in one-third of all lands whereof her husband was possessed at any time during marriage, except such land as has been legally released by her. If there are no children, the widow's share of a solvent estate is increased.

The estate of a wife or husband, where there are no children, no father or mother and no descendants of children or of father or mother surviving, all goes to surviving spouse.

CALIFORNIA

All property owned by husband or wife before marriage, or acquired by gift, devise or descent, with rents and profits thereof, is the separate property of husband or wife. All other property acquired after marriage by husband or wife is community property, with certain exceptions in the wife's favor.

The separate property of the wife is liable for her own debts, but not for her husband's debts, provided that it is liable for debts contracted by husband or wife for the necessities of life furnished to them while living together, provided that this provision does not apply to the separate property of the wife acquired otherwise than by gift from her husband. She may become a sole trader.

A wife may sue alone for injury to her person or by libel, slander, false imprisonment, or in any action concerning her separate property, her claim to the homestead property, or in any action between herself and her husband, or in any action when living apart from him by reason of his desertion or by agreement in writing.

A married woman is alone liable for damages for civil injuries committed by her, except in cases where her husband would be jointly liable if no marriage existed.

The community property is not liable for contracts of wife, unless secured by pledge from husband. The earnings of a wife are not liable for the debts of her husband. The earnings of the wife and minor children in her custody, living separate from her husband, are the separate property of the wife. Deposits in any bank made by wife are her property and under her control.

The husband has management and control of the community property, with absolute power of disposition except testamentary, but he cannot give or convey the same without valuable consideration unless by consent of the wife in writing, and no sale or encumbrance of the furniture, furnishings or fittings of the home, or of the clothing of wife or children, can be made without consent of the wife.

There is no curtesy or dower in California.

On the death of the wife the whole of the community property goes to the husband without administration. On the death of the husband half the community property goes to the wife, the other half goes in accordance with the husband's will or to descendants. The entire property is liable for the debts of the husband.

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The separate property of the husband goes in equal shares to wife and child; if more than one child, the wife takes one-third. The separate property of the wife descends in the same manner.

COLORADO

All the property of a married woman, real and personal, including gifts from her husband, such as jewelry, money or wearing apparel, is her own separate property, and his not liable for the debts of her husband; provided that this does not include real estate given to her by her husband. A wife may bargain, sell or convey her real or personal property in the same way as if she were sole. She may

sue or be sued in all matters. She may carry on any trade or business on her own account, and her earnings or profits are her own separate property.

The husband is liable for debts of his wife incurred before marriage only to the extent of any property he may receive with her or through her.

Dower and curtesy have both been abolished.

No husband or wife shall, by will, devise more than half of his or her estate away from the other, without the consent of the other in writing.

Husband or wife dying instate, one-half of all real or personal property goes to surviving wife or husband, and the remainder to the children. If there are no children, the husband or wife takes the whole of the estate.

CONNECTICUT

Neither husband nor wife shall acquire by force of the marriage any right or interest in any property held by the other before the marriage or acquired after it, except as to the share of the survivor as provided by law.

The separate earnings of the wife shall be her sole property. She shall have power to make contracts with third persons as if unmarried. She shall also have power to convey real and personal property directly to her husband, and to receive property from him. Her property is liable for her own debts, but is not liable for the debts of her husband.

If married before 1877 the wife has right of dower—life interest in one-third of the real estate of which her husband dies possessed, unless she shall previously have waived her right to such dower in writing.

On the death of husband or wife married after 1877, the survivor is entitled to life use of one-third of all property, real and personal, belonging to deceased. This right cannot defeated by will, but where there is no will the survivor takes one-third absolutely. If there are no children and no will, the surviving spouse takes all to the extent of \$2,000 and one-half of remainder absolutely.

DELAWARE

Real estate, mortgage, stocks and silver plate belonging to a married woman at the time of her marriage, or to which she may become entitled during marriage, shall be her sole and separate property, not subject to the disposition of her husband nor liable for his debts. But she cannot sell or dispose of them, or create any incumbrance on her real estate, without his consent under his hand and seal unless she has been abandoned. If, with the consent of her husband, she sells her real estate, with the consent of her husband she may reinvest the proceeds in real estate, stocks or mortgages.

A married woman, living separate from her husband, may hold money or property which shall not be liable for his debts, so long as they live separate and he fails to support her in whole or in part.

All debts contracted by a married woman shall be a charge on her real and personal property.

A married woman may receive the wages of her personal labor and may deposit the same in her own name, not subject to the authority of her husband.

A married woman may prosecute and defend suits at law concerning her own property and may dispose of her property by will, subject to her husband's right of curtesy.

A married woman has dower right—life estate in one-third (one-half, if there is no issue surviving) of all lands and tenements whereof the husband was possessed at any time during the marriage.

The husband, in case a child has been born alive, has right of curtesy—life use of all real estate belonging to the wife at the time of her death—unless all such issue has died, when he gets only half. He shares intestate personally with children.

The wife has no right to the real property of her husband dying without will, excepting her dower right; of his personal property she takes from one-third to all, varying with the number of children and kindred surviving.

FLORIDA

All property, real and personal, of the wife, shall be her separate property and shall not be liable for the debts of her husband. Such property shall remain in the care and management of her husband, nor shall the wife be entitled to sue her husband for the rent, proceeds or profits of her property.

A married woman's wages and earnings in any employment separate from her husband shall be her separate property, and subject to her own disposal.

The wife is entitled to dower interest in one-third of all real estate of which her husband died possessed, or which he had before conveyed, whereof she had not relinquished her right of dower. In this one-third shall be included the dwelling house in which her husband shall have been accustomed to dwell, if this be suitable to her needs.

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If a man dies without will, and there are no children or only one child, the widow takes by way of dower one-half of his personal property, absolutely, free from debt; if more than one child she takes one-third.

If a man dies intestate without children the wife takes the whole of the real and personal estate, subject to debts, or her dower, at her election.

If a wife dies intestate and leaves no children all her property, real and personal, goes to her husband.

GEORGIA

The husband is head of the family and the wife is subject to him. Her legal and civil existence is merged in the husband, except so far as the law recognizes her separately either for her own protection or for her benefit, or for the preservation of public order. The house in which the husband and wife live is the house of the husband, though the wife pay the rent and support the husband.

All property of the wife at the time of her marriage shall remain the separate property of the wife and shall not be liable for the debts of the husband.

When she is living separately from her husband, the acquisitions of the wife shall be vested in the wife for her separate use, free from the control of her husband.

The husband is bound to support and maintain his wife, and is liable for necessities furnished to her, even when living separate from him, unless she is living in adultery or has voluntarily abandoned him without provocation.

On the death of the wife intestate, the husband is sole heir and may take possession without administration, unless she leaves a separate estate and surviving child or children, where husband and children shall share alike in such separate estate.

If the husband dies without will, leaving children, wife and children share alike in his personal estate. If there are five or more children, she may take one-fifth.

The husband cannot deprive the wife of her dower right.

If husband dies intestate, the wife may take either her dower (life interest in one-third of husband's real estate) or a child's share of the estate absolutely; if no children, the wife is sole heir.

IDAHO

The husband has management and control of the community property of the marriage; but not of the earnings of the wife for her personal services to outsiders, nor of the rents and profits of her separate estate; he shall not sell, convey or encumber the community property without consent of the wife.

The wife has management and control of her earnings and of the rents and profits of her separate estate.

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The community property includes all property acquired after marriage either by husband or wife, except the earnings of the wife and such property as belongs to her separate estate.

The husband's separate estate includes all property owned by him before marriage or acquired by gift, devise or descent. The wife's separate estate includes all property owned by her before marriage and all property acquired during the marriage by gift, devise or descent, excepting such as comes to her by gift of her husband.

Upon the death of either the husband or wife, half the community property goes to the survivor. The other half is subject to testamentary disposition. If there is no will, this half descends to issue of the deceased. If no issue, all passes to survivor to the exclusion of collateral heirs.

Upon the death of husband or wife intestate, the separate property of each goes to the survivor in shares ranging from one-third to all, according as children and kindred survive.

ILLINOIS

A married woman may own real and personal property and convey the same just as a married man. She may received and possess her own earnings free from interference by her husband.

She may sue or be sued. She may contract, but, except with the consent of her husband, she may not enter into any partnership or carry on any business; provided, that she may do so without his consent if the husband has deserted her or is insane.

A husband is not liable for his wife's torts.

Husband and wife may sue each other.

The expenses of the family and education of the children are chargeable on the property of both husband and wife.

The surviving husband or wife, on the death of the other, is endowed in one-third of all lands owned at any time during the marriage, unless the right to such portion has been duly relinquished.

If husband or wife die leaving a will and no descendants, the survivor may, in lieu of dower, have one-half of all real and personal estate which shall remain after payment of all just debts and claims.

If husband or wife die intestate, leaving child or children, the survivor spouse shall receive one-third the personal estate of decedent. If there are no children, all the personal estate goes to widow or widower. If there are no children and no near kindred, the whole estate goes to the surviving spouse.

INDIANA

All the legal disabilities of married women to make contracts are abolished except as otherwise provided.

All lands and the profits therefrom of a married woman shall be her separate property, but she shall have no power to encumber or convey her real estate, unless her husband join in the deed.

All her property, real and personal, together with the rents and 113 profits therefrom, shall remain under her control, and she may at any time sell and convey her personal property.

The husband shall not be liable for contracts or torts of the wife, or for any debt contracted by the wife in carrying on trade or business on her own account.

The earnings and profits of any married woman accruing from trade, business, services or labor, other than labor for her husband and family, shall be her own separate property.

Curtesy and dower are abolished. On the death of the husband, testate or intestate, the widow takes one-third of his real estate in fee simple, unless the real estate exceeds in value \$10,000, when the widow has one-fourth only; or if over \$20,000, one-fifth only, as against creditors. If there is only one child and no will, she gets one-half.

When a woman dies, leaving a husband, he takes one-third of her real estate subject to its proportion of the debts contracted by the wife before marriage. Husband or wife may elect to take under a will. If the husband dies without will, leaving widow and one child, the personal estate descends one-half to widow and one-half to child; if more than one child, the widow takes one-third of personal estate. The husband's rights in intestate personalty are practically the same.

The will made by a married woman is valid.

IOWA

The husband is the head of the family, but a married woman has full power to dispose of her separate estate by gift, sale or will, except that the separate property of neither husband nor wife can be the subject of contract between them.

A wife may maintain an action against her husband for money loaned to him.

A husband is not liable for his wife's torts.

The wages of a wife are her own property.

The reasonable and necessary expenses of the family and the education of the child are chargeable upon the property of both husband and wife, or of either of them.

On the death of the husband, the wife is entitled to dower interest in one-third of the realty of her husband of which he was possessed during his life-time, or to occupy the homestead for life. A surviving husband has the same right in the property of his deceased wife.

The survivor's share cannot be affected by the will of the spouse, except by his or her consent.

If husband or wife die without will, leaving no issue, the whole of the estate up to \$7,500 and one-half of the remainder goes to the surviving spouse, and the remaining one-half to the parents of decedent.

KANSAS

The property, real and personal, which any woman in this state may own at the time of her marriage, and any real or personal property 114 which shall come to her by descent, bequest or gift of any person except her husband, shall remain her own and separate property.

A married woman may contract to the same extent and like effect as a married man. She may sue and be sued. She may carry on any trade or business and perform any labor or services on her sole and separate account, and her earnings shall be her sole property.

Dower and curtesy are abolished.

The widow is entitled to the homestead with 160 acres of farming land, or one acre in any town or city, occupied by the family before the husband's death, absolutely, free from the debts of her husband. If the husband owned a greater number of acres of land, the widow may select from all for the homestead. The same rule holds for a husband if the homestead was owned by his wife.

The wife inherits from her husband half the value of all his real estate, and this inheritance cannot be affected by the will of the husband. The other half, if there is no will, goes to the children. If no children, all goes to the wife. These provisions also apply to inheritance by the husband from the wife. Personal property, not needed for debts nor disposed of by will, is distributed like realty.

KENTUCKY

A married woman may take and hold property, real and personal, by gift, descent, devise or purchase, and may sell or dispose of her personal property as if she were sole. She may make contracts and sue and be sued; except that she may not sell, convey or mortgage her real estate unless her husband join in such contract. She may rent her real estate and recover in her own name and rents, and make contracts for the improvement thereof.

The husband is not liable for the debts of the wife incurred before marriage, except to the amount of the property received from her or by her.

On the death of either husband or wife without will the survivor has a life interest in one-third of all real estate owned by the other during the marriage, and an absolute estate in one-half the personalty, after payment of debts, left by such, decedent.

LOUISIANA

The property of married persons is divided into separate and common property. Separate property is that which either party brings into the marriage or acquires during the marriage with separate funds or by inheritance or donation made particularly.

The earnings of a wife living apart, her earnings when carrying on a business, trade or industry separate from her husband, property resulting from actions for damages, and property purchased with such funds are her separate property. But a wife cannot convey, mortgage or acquire separate property, make a contract, borrow money, or bring an action with reference to her separate estate unless authorized by her husband or a court order.

Common property is that acquired by husband and wife during marriage other than above. If the title to such property is in the name of the wife it cannot be mortgaged or sold without her consent. When the common property is administered by husband, or by husband and wife, the fruits of this property belong to the conjugal partnership. This partnership consists of the profits of all the effects of which the husband has the administration and enjoyment, either in right or in fact, of the produce of the reciprocal industry of both husband and wife, and of the estate they may acquire either by donations made jointly to them both or by purchase. If such partnership does not exist, each party enjoys as he chooses that which comes to his hands. The husband controls the community property.

He may alienate it without the wife's consent but may not give away realty or more than a certain proportion of personalty except to establish the children of the marriage.

A married woman is competent to contract and bind and obligate herself personally and with reference to her separate and paraphernal property and to sue and be sued as though she were feme sole.

Upon the dissolution of the marriage one-half the community property belongs to the survivor. Where either dies intestate the survivor has the use till death or remarriage of so much of it as might be inherited by his or her issue.

When husband or wife shall die, leaving no descendants or ascendants and no will, his or her share in the common property goes to the survivor. Practically the same rule applies to separate property. A needy survivor is sometimes from a large estate allowed a "marital portion" of not more than one-fourth.

A man or woman contracting a second or subsequent marriage and having a child or children of a former marriage, may give or bequeath to the later spouse all that he or she could legally give or bequeath to a stranger.

The income of the wife's dowry belongs to the husband during the continuance of the marriage and is intended to help him in the maintenance of the family, but it may be stipulated by the marriage contract that the wife shall receive a part of her revenue for her personal use. At the dissolution of the marriage the dowry is restored to the wife's family.

MAINE

A married woman may own real and personal property acquired by descent, gift or purchase, and may manage, sell, convey and devise the same without assent to her husband, but she cannot bar his rights. Real estate directly conveyed to her by her husband cannot ordinarily be conveyed by her without joinder of her husband.

A husband by marriage acquires no right to any property of his wife. She may receive her own wages, maintain action therefor in her own name, and hold them in her own right.

A husband is not liable for the debts of his wife incurred before marriage, nor for those contracted afterwards in her own name; nor for her torts. She may sue and be sued and her property attached as if sole; but she cannot be arrested.

If husband or wife die without leaving a will, the survivor takes one-third of the estate if there are children, one-half if no children, the whole if there are neither children nor kindred. If there is a will, survivor may choose whether to accept provision of will or take the statutory provision of one-third of the realty free from the payment of debts. Dower is abolished.

MARYLAND

Married women shall hold all their property of every description for their separate use as fully as if they were unmarried, and shall have all the power to dispose of their property by deed, mortgage, lease, will or any other instrument that husbands have to dispose of their property, and no more. A married woman may contract as a feme sole.

On the death of husband or wife intestate, the survivor is entitled to estate for life in one-third of the lands of spouse, held at any time during the marriage. Such spouse receives one-third of the personal property if there is issue, a larger share if there is no issue.

If husband or wife die without leaving will, if there are no children and no father or mother, or descendants of father or mother, the whole estate goes to surviving spouse.

MASSACHUSETTS

The real and personal property of a woman shall, upon her marriage, remain her own separate property, and a married woman may receive, hold and dispose of property as if she were sole.

A married woman may make contracts, except with her husband. Husband and wife cannot transfer property to each other, except that a wife may, by gift from her husband, acquire wearing apparel, ornaments and articles for personal use to a value of not more than \$2,000. Real estate may also be transferred, but such transfer is not good until recorded.

Work performed by a married woman for persons other than her husband and children shall be presumed to be performed on her separate account.

A married woman may sue and be sued; but she may not sue her husband.

She shall not be liable for the debts of her husband.

She may do business on her separate account, but she must record in the clerk's office of the city or town a certificate stating her name and that of her husband, and the nature of the business in which she intends to engage.

A married woman shall be liable jointly with her husband for 117 debts to the amount of \$100 in each case, for necessities furnished to herself or family, if she has property to the amount of \$2,000 or more.

The husband shall on death of his wife be entitled to hold for life one-third of all land owned by her at any time during her coverture. This curtesy right shall not be impaired, unless the husband join in conveyance of such lands or release his right. The widow has the use of the homestead plus a dower interest in one-third of her deceased husband's lands. Both husband and wife may elect to take either under a will of a dower or curtesy interest, but if the latter amounts to more than \$10,000, only the income on the excess is allowed.

If the husband or wife die without will, leaving no children, the surviving spouse takes the personal property to the value of \$5,000 and half of the remainder, and half of the real estate. If the personal property is not of the value of \$5,000 the deficiency up to \$5,000 can be made up out of the real estate.

If there are children surviving, husband or wife takes one-third; if deceased have no kindred, the survivor takes the whole estate.

MICHIGAN

The real and personal estate of every female and all property, real and personal, to which she may become entitled by gift, grant, inheritance or in any other manner, shall remain her estate and property, and not liable for her husband's debts. It may be sold, conveyed or bequeathed by her as though she were unmarried.

A married woman may sue and be sued and make contracts for which her husband is not liable. She is entitled to hold and enjoy all earnings the result of her personal efforts, and to dispose of the same as if unmarried.

A widow is entitled to use for life of the homestead and of one-third of the lands owned by her husband as estate of inheritance during his life. A husband shall have a life estate in all real estate owned by his wife at the time of her death, unless there is issue of the wife by a former husband.

The personal property of a wife, dying without will, goes one-third to her husband and two-thirds to her children; if only one child, half to husband; if no child, no parents or descendants of parents, all to husband.

On the death of her husband without will a widow shall be allowed all her clothes and ornaments; the clothes and ornaments of the deceased; household furniture and personal property to the value of \$200. The remainder of the personal estate goes one-third to wife, two-thirds to children; if only one child, one-half to wife; if no child, all to the wife up to \$3,000, and one-half of the excess over that sum; and if no child and no parents or descendants of parents, all to wife. Of the real estate, one-third goes to the widow if there are children, one-half if there are no children, if there is neither child nor near kin. This is in lieu of dower.

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MINNESOTA

A woman shall retain the same legal existence and legal personality after marriage as before, and every married woman shall receive the same protection of all rights as a woman which her husband does as a man, including the right to appeal to the courts in her own name alone for protection or redress; but a married woman has not the right to vote or hold office, except as otherwise provided by law.

All property, real, personal and mixed, owned by any woman at the time of her marriage shall continue to be her separate property, and she may receive and enjoy property of every description and all avails of her contracts and industry free from the control of her husband and from liability for his debts. She is bound by her contracts and responsible for her torts; and neither husband nor wife shall be liable for the torts, debts, or contracts of the other, except that the husband is liable for necessities furnished to the wife; and while living together they shall be jointly and severally liable for necessary household articles and supplies furnished to the family.

Husband and wife may convey real estate to each other.

The homestead descends to the surviving spouse for life, and remainder to the children. The surviving spouse takes one-third of all others lands. In the absence of a will, if there are no children,

the whole of the remaining property, real and personal, goes to the surviving spouse. The widow or widower is entitled to the wearing apparel of the deceased spouse, household furniture not exceeding \$500 in value, other personal property to the same amount, and one-third of the remainder, before any division of the estate in accordance with the will or in intestate succession, which letter follows the laws governing the inheritance of real state.

MISSISSIPPI

Married women are fully emancipated from all disability on account of coverture, and marriage shall not impose any disability on a woman as to ownership, acquisition or disposition of property of any sort, nor as to capacity to make contracts; but every woman now married, or hereafter to be married, shall acquire, hold, control and dispose of all property and make any contract in reference to it, and bind herself personally, sue and be sued, with all the liabilities incident thereto, as if she were not married.

Husband and wife may sue each other, but not contract for pay for services rendered each other.

Dower and curtesy are abolished.

If a wife have separate property, equal in interest to her lawful portion of her husband's real and personal estate, and he have made a will; she may not dissent to the will and elect to take her portion of the estate; otherwise she may dissent and claim to have the deficiency made up to her, but on dissenting she gets only one-half even if there are no children. The husband has the same right to renounce his wife's will.

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When either husband or wife die without will, leaving children, the survivor shall take a child's share. If no children, the survivor takes the whole estate.

MISSOURI

All real estate and personal property belonging to any woman at marriage, or which she may have come to her during coverture by gift, inheritance or purchase with her separate money or means, or be due as wages of her separate labor, or has grown out of any violation of her personal rights, shall remain her separate property, under her own control and not liable for the debts of her husband.

The husband's property, except such as may be acquired from the wife, shall be exempt from all debts incurred by his wife before their marriage.

The rents and proceeds of the real estate of any married woman shall be exempt from attachment for debts of her husband, provided that such annual proceeds may be attached or levied upon for any debt of the husband created for the necessities of the wife and family, or for debts for labor or materials furnished upon her real estate.

For civil injuries committed by a married woman damages may be recovered against her alone, and her husbands shall not be responsible except in cases where he would be responsible if the marriage did not exist.

A widow is endowed in life interest in one-third part of all the lands owned by her husband as an estate of inheritance during the marriage. In intestacy she is entitled to a child's share in her personal property. If no children, she takes her dower and one-half of the personal property of her husband subject to his debts. She may elect to take a similar share of his realty in lieu of dower. If there are no near kin she takes the whole estate.

On the death of the wife the husband receives the same share, except for dower, that the wife receives on the death of the husband.

MONTANA

All the property of the wife owned before he marriage, and that acquired afterwards, is her separate property. She may convey it without consent of her husband.

The earnings and accumulations of the wife are not liable for the debts of her husband.

The earnings of the wife and of the minor children, in her custody, while she is living separate from her husband, are the separate property of the wife.

The husband is the head of the family. He may choose any reasonable place or mode of living, and the wife must conform thereto. He must support himself and wife out of his property or by his labor. If he is unable to do so, she must assist him as far as she is able.

Neither husband nor wife is answerable for the acts of the other, 120 or liable for debts contracted by the other, provided that expenses for necessities of the family and the education of the children are chargeable upon the property of both or either.

A widow is endowed of one-third of all lands of her husband, in which he had an estate of inheritance at any time during the marriage, unless she shall have relinquished her right. Curtesy is abolished. But a wife cannot without her husband's consent will away from him more than two-thirds of her estate.

If a husband die leaving widow and no children the widow may elect to take instead of her dower one-half of all the real estate after payment of debts.

If a husband or wife die without will, leaving one child, the surviving spouse takes one-half of the estate; if more than one child, spouse takes one-third. If no children, estate goes half to spouse, half to father or mother or their descendants. If no father or mother or descendants of parents the whole estate goes to surviving spouse.

NEBRASKA

The property, real and personal, of a married woman, owned by her at the time of her marriage and all that shall come to her afterwards, except that which comes by gift of her husband, shall remain her sole and separate property, and not liable for the debts of her husband nor subject to his control. She may sell or convey it and enter into contract with reference to it to the same extent as a married man may in relation to his real and personal property.

She may carry on any trade or business, and perform any labor or services on her separate account and her earnings shall be her sole and separate property. Her husband is not liable for her debts contracted before marriage.

Dower and curtesy are abolished.

At the death of husband or wife the survivor takes one-fourth of all real estate in case he or she is not the parent of all the children of the deceased. If the parent of all, he or she takes one-third, or if there is only one child or no children, one-half.

The survivor takes also all wearing apparel, ornaments and household furniture not exceeding \$200 in value. The remainder of the personal property is distributed in the same proportions as the real estate. If there is no kindred and no will, the survivor takes the whole estate.

NEVADA

All property of the wife or husband owned before marriage or acquired afterwards by gift, devise or descent is his or her separate property. All other property acquired after marriage by either husband or wife is community property.

When the husband has allowed the wife to appropriate to her own use her earnings, these and the issues and profits thereof are deemed a gift from him to her and are her separate property. The earnings of the wife are not liable for the debts of the husband.

The earnings of the wife and minor children living with her, when living separate from her husband, are the separate property of the wife.

The separate property of the wife is not liable for the debts of her husband, but it is liable for her own debts.

If the husband neglects to make adequate provision for the support of his wife any other person may, in good faith, supply her with the articles necessary for her support and recover the reasonable value thereof from the husband.

The wife must support the husband out of the separate property when he has no separate property and they have no community property and he from infirmity is not able to support himself.

A wife may sue and be sued, if she lives apart from her husband and under certain other conditions.

Married women may carry on business under their own name on complying with certain regulations. Any married woman carrying on business shall be responsible for the maintenance of her children.

If husband or wife die, leaving no will, the separate property goes one-third to surviving spouse and remainder to children. If one child only, half goes to spouse; if no child, half to spouse; if no parents or descendants of parents, all to spouse. The community property goes only one-half to the surviving spouse, unless there is no child and no parent.

The widow and minor children are entitled to remain in possession of the homestead, of the wearing apparel and household furniture, and a reasonable provision for their support. Property so act apart for the use of the family shall be the property one-half of the widow, one-half of the children, if no children all of the widow. If husband or wife die leaving not more than \$500 the whole goes to surviving spouse and children without administration.

NEW HAMPSHIRE

Every married woman shall hold to her own use, free from the control of her husband, all property at any time earned, acquired, or inherited by her, giver or conveyed to her either before or after marriage, except such conveyance or gift as is occasioned by payment or pledge of the property of her husband. Every married woman shall have the same right and remedies and be subject to the same liabilities in relation to property held by her as if unmarried. She may make contracts and sue and be sued in law and equity, provided that she cannot make contracts with her husband, nor be surely or guarantor for him. She may convey her real estate as if sole.

The owner, the husband or wife of owner and the minor children are entitled to occupy the homestead during the life of the owner. After decease of owner, surviving spouse and minor children are entitled to occupy during minority of the children and lifetime of survivor. The 122 value of such homestead shall not exceed \$500. The widow is entitled to dower in one-third of real estate of which her husband died possessed, and husband is entitled to a life interest in all lands and tenements owned by his wife. In addition to dower and homestead right, if the husband dies without will, or she waives her rights under the will, the widow is entitled to one-third of her husband's personal property, if he leave children, and to one-half if no children, provided that she receives \$5,000 and if the personal estate amounts to more than \$5,000, half the surplus. If she releases her dower and homestead right and waives right under any will, she may take absolutely one-third of all his estate, if he leave children; \$5,000 and one-half of the remainder, if no children. If the husband release his curtesy he is entitled to make a similar election.

NEW JERSEY

Real and personal property, with the rents and profits thereof, of any woman owned at the time of her marriage, or which she shall afterwards acquire, receive or obtain by purchase, gift, descent or bequest, or in any manner whatever, shall be her separate property as if single.

The wages and earnings of any married woman in any occupation or trade carried on separately from her husband, and all investments of such money, are her property and not liable for her husband's debts.

She may, in general, make contracts, except with her husband. She may sue and be sued. She is liable for her own torts.

If living separate from her husband by final decree of the court, or if her husband neglects or refuses to support her, and in certain other cases, she may sell or mortgage her real estate.

She may bequeath her real or personal property, but she cannot deprive her husband of his legal interest in it.

The paraphernalia of a married woman—clothes and ornaments which have come to her through her husband—are her separate property.

Dower and curtesy have been abolished. No provision is made for the widow where the husband leaves a will—his property is all subject to his testamentary disposal. If either husband or wife dies without will the surviving spouse takes a life interest in one-third of the real estate, and if there are no relatives, the surviving spouse takes all. Such spouse also takes one-third of the personal property if there are children, all if no children.

NEW MEXICO

The husband has the management and control of the personal property of the community, and during coverture he has sole power of disposition, other than testamentary, as he has of his separate property, but the wife must join in all deeds and mortgages affecting real estate.

The wife may convey or mortgage her own real estate.

The husband is the head of the family. He may choose any reasonable place or manner of living, and the wife must conform thereto.

He must support his wife out of his property or labor, unless she abandons him. The wife must support her husband out of her separate property if he has none and there is no community property and he is unable from infirmity to support himself.

A wife may make contracts with her husband, or with other persons. All property owned by the husband or the wife before marriage or acquired afterwards by gift, devise or bequest with the rents and profits thereof is his or her separate property.

The wife's earnings are not liable for the debts of the husband. The earnings of the wife and minor children living with her when living separate from her husband are her separate property.

All other property acquired by husband or wife after marriage is community property.

On the death of the husband one-half of the community property goes to the wife, the other half is subject to testamentary disposition. If no will, one-half of remainder goes to wife, rest to the children. If no children all goes to the wife.

On the death of the wife, the whole of the community property belongs to the husband. The separate property of either spouse dying interstate, passes, one-fourth to the survivor, or all if there are no children.

NEW YORK

Property, real or personal, owned by a married woman at the time of her marriage, or acquired by her afterwards, shall be her sole and separate property, as if she were unmarried, not subject to her husband's control nor liable for his debts.

A married woman has all the rights in respect to property, real and personal, and the acquisition, use and enjoyment thereof, and to make any contracts in respect thereto with any person, including her husband, as if she were unmarried, and she may carry on any trade, business or occupation.

Sums recovered as damages to person, estate or character are her own separate property. The husband is not liable for his wife's debts contracted before marriage. The wife is responsible for her own torts.

A widow has right of dower in one-third of all lands whereof her husband was seized of an estate of inheritance during the marriage. The husband is entitled to curtesy—life interest in all the real estate owned by his wife. Curtesy can be barred by deed or will.

Real property, in the absence of a will, goes to descendants, to father, to mother, to collaterals. Personal property goes one-third to widow, remainder in equal proportions to children; if no children, half to widow, or all if it is \$2,000 or less. If no children and no kindred, widow takes all.

NORTH CAROLINA

Every married woman may contract and deal with her real and personal property as though she were unmarried; but no conveyance of her real estate shall be valid without the written consent of her husband.

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The earnings of a married woman for personal services and any damages for personal injuries or other tort can be recovered by her suing alone, and shall be her sole and separate property as if unmarried.

Every husband living with his wife is jointly liable for her torts.

The real and personal property of any female acquired before or after marriage is her separate estate and property, not liable for her husband's debts, and may be devised or bequeathed by her.

A man on the death of his wife intestate, if he has had issue by her born alive, shall be entitled to an estate as tenant by curtesy for life in all real estate owned by her during marriage, unless he shall have abandoned his wife, or maliciously turned her out of doors. He shares her personal property equally with her children.

A widow is entitled to dower interest in one-third of all lands owned by her husband at any time during the marriage, including the dwelling house in which her husband was accustomed to live, and to an allowance for herself and family for one year after his death out of his estate.

If the husband dies without will, his real estate descends lineally. On failure of lineal descendants, to the next collateral. If no heir, the widow takes the estate. Of the personalty the widow takes shares varying from one-third to all according to the relatives left. The widow may within a certain time dissent from a will and take as she would on intestacy.

NORTH DAKOTA

The husband is head of the family. He may choose any reasonable place and mode of living, and the wife must conform thereto.

The husband must support himself and his wife by his property of labor. The wife must support her husband when he has not deserted her out of her separate property, if he has none and is unable from infirmity to support himself.

Neither husband nor wife has any interest in the property of the other, but neither can be excluded from the dwelling of the other.

A wife may enter into any engagement or transaction with her husband or with other persons as if unmarried. She has, with respect to property, contracts, and torts, the same capacity and right and is subject to the same liabilities as before marriage. She may sue and be sued in her own name.

The separate property of the wife is no liable for the debts of her husband; but is liable for her own debts. The earnings of the wife are not liable for the debts of her husband; and the earnings and accumulations of the wife and minor children living with her, while living separate from her husband are her separate property; provide, that husband and wife while living together shall be jointly and severally liable for any debts contracted by either of them for necessary house-hold supplies and for food, clothing and shelter for themselves and family, and for the education of their minor children.

Upon the death of the owner, whether husband or wife, the home-stead goes to survivor for life.

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Husband or wife dying without will, his or her separate estate is divided equally between surviving spouse and child; if more than one child, one-third goes to surviving spouse. If no issue, all the estate to the value of \$15,000 goes to surviving spouse. Of the excess value, one-half goes to spouse, the other half to parents. If no parents, the estate to \$25,000, plus one-half of the excess over \$25,000, goes to spouse. If no descendants of parents, all goes to surviving spouse.

OHIO

The husband is head of the family. He may choose any reasonable place or manner of living and the wife must conform thereto.

The husband must support himself, hi wife and minor children out of his property or labor. If he is not able to do so his wife must assist him as far as she is able.

Neither husband nor wife has any interest in the property of the other, except the right to dower, and to remain in the mansion house after the death of the owner, and neither can be excluded from the dwelling of the other. A wife may contract either with her husband or with other persons as if unmarried. A married person may take, hold and dispose of property as if unmarried. Neither husband nor wife is responsible for the acts of the other.

When husband or wife dies without will, leaving no children, the widow or widower is entitled to all the personal property. If there are children, the spouse takes one-half of the first \$400 and one-third of the remainder. If there are no children or legal representatives of children, the real estate passes in fee to the surviving spouse, unless it came from an ancestor; in that case only for life. The widow is entitled to one-third dower interest in all lands owned by her husband during the marriage, whether he leave a will or not, but she may elect to take under the will in place of the dower. Curtesy is abolished and the widower takes dower exactly as the widow.

OKLAHOMA

The husband is head of the family. He may choose any reasonable place or manner of living and the wife must conform thereto.

The husband must support himself, his wife and the minor children out of his property or labor. If he is not able to do so, his wife must assist him as far as she is able.

Neither husband nor wife has any interest in the property of the other, except the right to remain in the homestead after the death of the owner, but neither can be excluded from the dwelling of the other.

The wife may contract with her husband or with other persons.

Husband and wife may hold real or personal property as joint tenants. The wife may without consent of her husband convey her separate property. Neither husband nor wife is answerable for the acts of the other.

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The earnings of the wife are not liable for the debts of the husband.

The earnings of the wife and of her minor children living with her when she is living separate from her husband are the separate property of the wife, and not subject to the control of the husband.

The husband is not liable for the debts of his wife contracted before marriage. The separate property of the wife is not liable for the debts of her husband, but is liable for her own debts.

If either husband or wife abandons the other for one year or is imprisoned for one year or more the court may authorize the other to manage, control, sell or encumber the property of the delinquent for the support of the family and the payment of the debts.

A woman retains the same legal existence and personality after as before marriage, and enjoys the same protection of all her rights; provided, that this does not confer on the wife the right to vote or hold office.

On the death of husband or wife the survivor may continue to possess the homestead and the following property which shall not be deemed assets: All family pictures, a pew in any house of worship, a lot or lots in any burial ground, the family Bible, all school books and other books not to exceed \$100 in value, all wearing apparel of the family, provisions of the family for one year, either provided or growing, or both, and fuel for one year, household and kitchen furniture not exceeding \$150 in value.

If a widow has maintenance from her own property equal to this provision, the property so set apart, other than the homestead, goes to the minor children.

The personal estate of an intestate up to \$1,500 must be assigned for the use and support of the widow and children. If there is an excess, not disposed of by will, it goes one-half to surviving spouse and one-half to child; if more than one child, one-third to surviving spouse; if no children, the wife takes all the community property and if there are no near kin all the separate property as well.

Neither husband nor wife can will away more than two-thirds of his or her property from the other.

OREGON

When property is owned either by husband or wife the other has no interest therein which can be made the subject of contract between them. A conveyance, transfer or lien executed by husband or wife in favor of the other shall be valid to the same extent as between other persons. Husband or wife may constitute the other his or her attorney in regard to his or her property.

Neither husband or wife is liable for the separate debts of the other.

The expenses of the family and education of the children are chargeable upon the property of both husband and wife, or either of them.

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A married woman may apply to the court for an order on her husband for her support and the support of her minor children.

Property, either real or personal, acquired by any woman before or during coverture, whether by her own labor or by gift, devise or inheritance, shall not be liable for the debts or contracts of her husband. A married woman, abandoned by her husband, may deal with her separate property as if she were feme sole, and may sue or be sued in relation to her property or any contract made by her before the return of her husband.

A married woman is alone responsible for any civil injury committed by her.

All laws which impose civil disabilities upon a wife, which are not imposed on, or recognized as existing, as to the husband are repealed, and she shall have the same right to appeal to courts of law or equity as her husband.

When any person shall die without will his or her property shall descend in equal shares to his or her children. If no children it shall go to wife or husband.

A married woman may dispose of her real estate by will subject to the right of her husband as tenant by curtesy. A widow is entitled to dower. Both curtesy and dower consist of a right to life use of one-half of all the lands owned by the deceased spouse during the marriage.

A widow or widower is entitled to one-half of the personal property of the spouse and to all if there are no children. A widow is also entitled to all articles of her apparel and ornament; and to possession of the homestead until the estate be settled. If the value of the estate does not exceed \$150 the whole of it is set apart for the widow and minor children.

PENNSYLVANIA

Every species of property, whether real or personal, owned before her marriage or accruing to her during coverture, by will, descent or deed, shall be the separate property of a married woman, and not subject to the debts of her husband, and it shall not be sold, conveyed or mortgaged by her husband without her written consent. But it shall be liable for her own debts or for judgment

recovered against her husband for her torts. Her husband must join in a conveyance or mortgage of her separate property.

A married woman may sue and be sued, except that she may not sue her husband unless for divorce or to recover her separate property when he has deserted her without cause or neglected or refused to support her; nor may he sue her, except for divorce or in a proceeding to recover or protect his separate property; nor may she be arrested or imprisoned for her torts.

When a man and wife have lived apart for a year or more, and the husband has not supported his wife and children, but the wife and children are maintained by the wife, or by wife and children, the wife 128 may petition the court to be a sole trader, and thereupon her property, real and personal, however acquired, shall be subject to her free and absolute disposal during life and by will and in case of intestacy it shall go to her next of kin as if her husband were dead.

The power of a married woman to bequeath her property is restricted as regards her husband by his right of curtesy—life interest in all of her real estate; and the right of the husband is restricted by the wife's right of dower—life interest in one-third of her husband's real estate and one-third of the personal estate absolutely; but both husband and wife may elect to take under the will of the other.

If a man dies without will, and leaves no children, the widow takes one-half the real estate for life and half the personal estate absolutely in addition to \$5,000, and certain exempt property; if he leaves children, she gets only her dower share. If the wife dies without a will the husband takes the whole of the personal estate and his curtesy right in the real estate; provided, that if she leaves children, husband and children share alike in the personal estate.

RHODE ISLAND

The real and personal property of a woman owned before marriage, or which may become her property after marriage, or may be acquired by her industry, or as damages recovered in suits for her benefit or compensation, shall be her separate property free from the control of her husband.

She may make any contract whatever as if she were single, with the same rights and liabilities. She may self or convey directly to or take from her husband or any other person, real or personal property. She may dispose of her real estate or personal property by will, saving the right of her husband by curtesy (life interest in all her real estate). She may carry on any trade or business, but her husband shall not be liable for her debts or her torts. Provided, that husband and wife shall not enter into any trade or partnership together.

The property of a wife shall not be liable for the contracts or torts of her husband; but shall be liable for her own. She may sue and be sued alone.

A widow is entitled to dower, life interest in one-third of all lands owned by her husband as an estate of inheritance at any time during the marriage. In the absence of a will she also receives one-third of the personal property if there be issue; one-half if there to be issue. The remainder of the real and personal estate passes to children or kindred, or, if there be no kindred, to widow.

The wearing apparel of the widow and minor children shall belong to them respectively, and the widow shall be entitled to such household effects, supplies and other personal property of the husband as the probate court shall deem necessary. If there be no children the probate court shall set off to the widow such portion of the real estate of her husband 129 as may be suitable for her situation and support in accordance with the circumstances of the estate in addition to her dower.

When a wife dies the husband becomes the administrator of her personal estate and shall not be compelled to distribute the surplus after payment of her debts, but shall be entitled to retain the same for his own use.

SOUTH CAROLINA

The real and personal property of a married woman held at the time of her marriage or acquired afterwards shall be her separate property and she shall have all the rights incident to the same to which an unmarried woman or man is entitled.

She shall have the power to contract as if unmarried. Her separate property shall not be liable for her husband's debts. All her earnings and income shall be her own separate estate. She shall have power to bequeath or convey her separate property as if unmarried, and if she dies intestate her property shall descend in the same manner as property of her husband.

Her husband shall not be liable for her debts, except for her necessary support and that of their minor children living with her.

A widow is entitled to dower, life interest in one-third of her husband's real estate of which he died possessed or which he had aliened during coverture. If she has a jointure or elects to take her share as provided in the next paragraph, she cannot also claim dower. Curtesy has been abolished.

If a man dies without will, leaving a widow and one or more children, the widow takes one-third, the child or children the remainder. If no children, the widow takes one-half, the resting going to parents and descendants of parents. If only distant relatives remain, the widow gets two-thirds, if none, she takes the entire estate.

SOUTH DAKOTA

The husband is the head of the family. He may choose any reasonable place or mode of living and the wife must conform thereto.

The husband must support himself and his wife out of his property or labor. If unable to do so on account of infirmity, the wife must support him out of her separate property.

Neither husband nor wife has any interest in the property of the other; but neither can be excluded from the dwelling of the other.

The wife may enter into any engagement or transaction with her husband or other person as if unmarried.

Husband and wife may hold real or personal property as joint tenants or tenants in common. The wife may, without consent of her husband, convey her separate property.

Neither husband nor wife is answerable for the acts of the other.

The earnings of the wife are not liable for the debts of the husband.

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The earnings and accumulations of the wife and minor children living with her when she is living separate from her husband are the separate property of the wife. The property of the wife is liable for her own debts, but not for the debts of her husband, and is not subject to his control.

A married woman who purchases necessities for her family on her own account shall be liable for them to the same extent as her husband would be. If the husband neglect to make adequate provision for his wife any other person may supply her with the articles necessary for her support, and recover from the husband.

The wife shall have and retain after marriage all the civil and property rights of a single woman. She may convey and sell her real and personal property; she may sue in her own name; but she has not the right of suffrage or of holding office, except as otherwise provided by law.

A married woman may dispose of her separate estate by will.

On the death of husband or wife, the survivor may continue to possess the homestead and the following property, which shall not be deemed assets: All family pictures, all wearing apparel of the family, provisions of the family for one year, household and kitchen furniture not exceeding \$150 in value, and all property exempt from execution. If there be no will, the estate, real and personal, goes half to survivor and half to child; if more than one child, surviving spouse takes one-third; if no child, all up to \$5,000 goes to surviving spouse; over \$5,000, spouse takes half of the excess. If no parents or descendants of parents, all goes to surviving spouse.

TENNESSEE

The interest of a husband in the real estate of his wife acquired either before or after marriage shall not be sold or disposed of by virtue of any judgment or execution against him; nor shall the husband sell his wife's real estate during her life without her joining in the conveyance. The proceeds of real or personal property belonging to a married woman cannot be paid to any person except by her consent.

All personal property of any married woman shall be exempt from the debts of her husband incurred by him before marriage.

The husband is entitled to the rents and profits of the wife's land which he receives during the marriage relation, as governor of the family, for the benefit of himself and family.

Whenever any married woman is dependent on her wages, salary or other compensation for the support of herself or dependent children, and so notifies her employer in writing, it shall be unlawful for her employer to pay her wages to any other person except her, and such married woman may prosecute an action for such wages without the aid of next friend or the joining of her husband as party plaintiff.

When married women are engaged in business in their own name they shall be liable for the debts incurred in such business.

All married women over 21, owning a separate estate settled upon them, shall have the same right of disposition by deed, will or otherwise, as if unmarried. The will of a married woman shall not be construed to defeat her husband's tenancy by curtesy in any real estate.

A widow is entitled to dower in one-third of the lands of which her husband die possessed or of which he was equitable owner, and in this third shall be comprehended the dwelling house in which her husband was accustomed to dwell. The husband is entitled, if a child of the marriage has been born alive, to curtesy—life interest in all of his wife's real estate.

If husband or wife die without will, leaving no heir at law, his or her real estate shall be inherited by surviving spouse in fee simple. The personal estate of the husband passes to widow and children equally; if there are no children, to the widow.

On the death of his wife the husband takes all her personal property without administration. A widow may dissent from her husband's will and claim her dower together with one-third of his personal estate, or if there are more than two children, a child's share of the personal estate.

TEXAS

All property, real and personal, of either husband or wife, owned before marriage or acquired afterwards by gift, devise or descent, is the separate property of such or wife. The joinder of the husband shall be necessary for an encumbrance or conveyance of the lands of the wife, and the joint signature of husband and wife for transfer of her stocks or bonds. If the husband refuses his assent, the wife may apply for a court order authorizing the conveyance or transefr.

The homestead, whether community property or separate property of husband or wife, shall not be disposed of except by joint conveyance.

The wife is responsible for her own debts, except those contracted for necessities for herself and minor children.

The community property of husband and wife shall be liable for all debts contracted during the marriage. The community property includes all property acquired by husband or wife during marriage, except that which is the separate property of either one or other. It may be disposed of by the husband only; provided, that the personal earnings of the wife, rents from her real estate, and

interest on bonds or notes, owned by her, shall be under her own control, and any deposits in any banks shall be presumed to be the separate property of the party in whose name they stand.

The husband may sue either alone or jointly with his wife for the separate property of the wife. If he fail to do so, she may by the authority of the court sue in her own name.

Husband and wife shall be jointly sued for debts contracted by the wife for necessities furnished to herself and to the minor children.

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Property or money received by the wife as compensation for personal injuries shall be her separate property, subject to expenses charged against the husband for hospital fees, medical expenses and all expenses incident to the collection of such compensation.

Any married woman may apply to the court, with the consent of her husband, for an order removing her disabilities of coverture, and declaring her feme sole for mercantile and trading purposes. After grant of such order she may, in her own name, contract and be contracted with, sue and be sued, and her separate property shall be subject to her debts, provided that she shall not encumber or convey her real estate except as provided by law.

On death of husband or wife, the survivor shall have exclusive management, control and disposition of community property. In case of remarriage of widow, said estate shall be subject to administration.

Husband or wife dying without will, the survivor, if there are children, takes one-third of the personal estate and a one-third interest for life in the real estate. If there are no children, the surviving spouse takes all the personal property and one-half of the real estate, the remainder going to father and mother. If no father or mother, or descendants of father and mother, the surviving spouse takes all.

UTAH

The real and personal property of every female acquired before marriage, or by purchase, gift, grant, inheritance or devise after marriage, shall remain her separate property, not liable for the debts of her husband, and may be conveyed, devised, or bequeathed by her as if unmarried.

The husband is not liable for his wife's torts.

She may contract, and contracts and conveyances between husband and wife shall be valid.

She may receive the wages of her personal labor; may maintain actions therefor in her own right, and may prosecute and defend all actions as if unmarried. There shall be no right of recovery by the husband for personal injury to the wife, but the wife may recover for such injury, and such recovery shall include expenses paid by husband.

Neither husband nor wife is liable for the debts of the other. Husband and wife may sue each other.

The expenses of the family and the education of the children are chargeable upon the property of both husband and wife or of either of them.

Both husband and wife have the right to occupy the homestead.

On death of husband, one-third of all legal or equitable estate in real property shall be set apart for the widow in fee simple. But the value of the homestead is deducted from this.

If husband or wife die leaving no will, the property goes to 133 surviving spouse and to child in equal shares. If there be more than one child, one-third goes to spouse. If not children, all the property up to \$5,000 goes to survivor, and half of the excess, the other half to the parents. If no parents or descendants of parents, the whole goes to survivor. But the share provided for by this paragraph is not in addition to the one named in the last. The survivor must elect.

VERMONT

All personal property of a married woman acquired before or during marriage, except by gift from her husband, shall be held to her separate use, and shall not be liable for the debts of her husband.

A married woman shall not become surety for her husband's debts, except by mortgage, and shall not convey or mortgage her real estate except by deed duly executed by herself and her husband; but a married woman may by her sole deed convey real estate acquired by her under a deed, decree or order of distribution made to her separate use and to the exclusion of the marital rights of her husband.

A married woman may make contracts, except with her husband; may bind herself and her separate property as if unmarried. She may sue and be sued. A man shall not be liable for his wife's torts.

A wife living apart from her husband on account of his desertion, neglect, insanity or misconduct, may be authorized to sell or convey her real estate or personal property which came to the husband by reason of the marriage, and which remains undisposed of by him, and any person holding money or other personal estate to which the husband is entitled in her right must pay or deliver the same to the wife.

If a wife has lived more than a year apart from her husband for any other cause than her adultery, she may obtain leave to sell or convey her real estate acquired by her otherwise than by gift from her husband, if her needs or comforts and the needs or comforts of her minor children require the income or proceeds of such real estate.

A widower or widow is entitled to one-third of the entire estate of which husband or wife died possessed. If husband or wife died leaving no children and no will, survivor takes the whole of the estate up to \$2,500 and half the excess, less the homestead valued at \$500; if no kindred, he or she takes whole. The survivor may elect to take the one-third or under the will, if there are no children, as though there had been no will.

VIRGINIA

A married woman shall have the right to acquire, hold, use, control and dispose of property as if unmarried, provided that her husband shall be entitled to curtesy in her real estate; but this right shall not entitle him to possession or use or to rents or profits therefrom during coverture; nor shall the property of the wife be subject to the debts of her husband. She may contract and sue and be sued, with the same consequences as if 134 she were unmarried. The husband shall not be liable for his wife's torts, contracts or liabilities.

A widow is entitled to dower—life interest in one-third of all real estate whereof her husband was seized of an estate of inheritance at any time during the marriage. The husband is entitled to curtesy—life interest in all real estate of which his wife dies possessed.

Real estate subject to dower and curtesy, passes first to children; if no children, to kindred of common great grand-parents; if no kindred, to surviving spouse.

On intestacy the husband shall be entitled to the whole surplus of the personal estate after payment of funeral expenses and debts. A widow shall be entitled to one-third of her husband's personal

estate, if there are children by a former wife; if no such children, to one-half. A widow may renounce her husband's will and take as if he had died intestate.

WASHINGTON

Every married person shall have the same right and liberty to acquire, hold, enjoy and dispose of every species of property and to sue and be sued, as if he or she were unmarried.

The property and pecuniary rights of a married woman shall not be subject to the debts or contracts of her husband, and she may manage, lease, sell, convey, encumber or devise by will such property to the same extent as her husband can property belonging to him. For all injuries committed by a married woman, damages may be recovered from her alone, and her husband shall not be responsible.

A wife may receive the wages of her personal labor and hold the same as if unmarried.

The expenses of the family and the education of the children shall be chargeable upon the property of both husband and wife.

The community property consists of everything acquired after marriage, not by gift inheritance. It is under the management and control of the husband, but he cannot mortgage or sell it without his wife's joining. On death of husband or wife, half the community property goes to the other. The other half is subject to the will of husband or wife; if no will, it passes to the children; if no children, to the survivor.

When the husband dies the widow takes all apparel and ornaments, all provisions and other necessities for use of the family, before the settlement of the debts of husband. After death of husband or wife leaving no will, one-half of the personal property goes to survivor and the other half to the children; if no children, all goes to the survivor. The real estate goes in equal shares to survivor and child; if more than one child, one-third goes to surviving spouse and remainder to children. If no children, one-half to spouse and remainder to father and mother. If no children, no father and mother or descendants of father and mother, all goes to survivor.

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WEST VIRGINIA

The separate property, real and personal, of a married woman shall remain hers as if she were single, and shall not be liable to her husband's control or debts. The husband remains liable for his wife's torts.

The property of a married woman is liable for the maintenance of her child or children. Unless living separate from her husband, she shall not sell or convey her real estate unless he join in the deed.

The earnings of a married woman and all property, real or personal, purchased by her out of such earnings shall be her separate property. Her property shall be liable for her own debts.

She may sue and be sued without joining her husband, where the action concerns her separate property, where the action is between her and her husband, and where she is living apart from her husband. A married woman living apart from her husband may carry on any trade or business in her own name.

A widow is entitled to dower of one-third of all the real estate of which her husband was possessed as an estate of inheritance during the marriage. If a woman die possessed of real estate, her husband shall be tenant by curtesy, whether they had issue born alive or not.

When any person dies intestate, having real estate, it shall go to his children and their descendants. If there be no kindred whatever, it shall go to surviving spouse.

In the absence of a will, the husband or wife is entitled to one-third of personal property of spouse, the remainder to go to the children. If there are no children, the surviving spouse is entitled to all. Either spouse may renounce under the will and take up to one-third as though the other had died intestate.

WISCONSIN

The real and personal property of any female which she may own before marriage or may receive by inheritance, gift or devise, she may hold to her sole and separate use.

Conveyance of real property made by a man to his wife is valid. The real estate of every description of any married woman, including all held in joint tenancy with her husband, shall not be subject to the disposal of her husband, but shall be her separate property as if she were unmarried.

The individual earnings of every married woman, except those accruing from labor performed by her for her husband, or in his employ, or payable by him, shall be her separate property, and shall not be subject to her husband's control or liable for his debts.

When the husband of a woman has deserted her or neglects or refuses to support her and her children, she shall have the right to transact business in her own name and to receive the profits of such 136 business. Her own earnings and the earnings of her minor children in her custody shall be her property, and she may apply the same to her own support and the support and education of her children.

Every married woman may sue in her own name, and have all the rights and remedies of an unmarried woman in respect to her property and earnings. She may bring action for injury to her person or character, but her husband shall also have the right to maintain a separate action for such injury.

A widow is entitled to dower—life interest in one-third of all lands owned by her husband at any time during the marriage.

On the death of a wife the husband shall hold the lands of which she died possessed and which were not disposed of by her will, as tenant by curtesy, unless the wife leave issue by a former husband to whom such lands might descend.

The widow shall be allowed all articles of apparel and ornament both of herself and husband, the family picture, household furniture, provisions and fuel on hand, and other personal property not exceeding in value \$200, whether there be a will or not. If the remainder of the personal estate does not exceed \$1,000 it may all be assigned for use and support of the widow and minor children, after payment of funeral charges and expenses of administration. If more than \$1,000 and there is no will, the widow shares with the children in the excess after payment of debts; the husband inherits only when there are no children.

Real estate, subject to dower, curtesy and homestead rights, goes to the surviving spouse only if there are no children.

WYOMING

All the property, both real and personal, of any married woman, owned at the time of the marriage or acquired afterwards from any person, shall be her sole and separate property, under her sole

control, to be enjoyed by her as if unmarried, not subject to the control or disposal of her husband and not liable for his debts, provided it has not been conveyed to her by her husband in fraud of his creditors.

She may sell, convey or assign her property as if unmarried, and may make contracts and incur obligations, all of which may be enforced against her as if unmarried. She may sue and be sued in all matters relating to property, person or reputation. She may make a will as though sole. She may carry on any trade or business, and perform any services, and her earnings shall be her separate property. Her property is liable for her own debts. When any judgment is rendered against husband and wife for the tort of the wife, execution shall be levied first on the wife's lands, if she has any.

A widow is entitled to retain as her separate property one bed and bedding, the wearing apparel of the family, two cows, one horse, her saddle and bridle, and the household furniture. If the value of the whole 137 estate does not exceed \$1,500, it shall be assigned for the use of the widow and minor children, after payment of funeral expenses, expenses of last sickness of deceased, and of administration.

The homestead vests absolutely in the surviving spouse, unless it was chosen from the separate property of the deceased without his or her consent. In that case it goes to the heirs of the deceased on the death of the surviving spouse.

When husband or wife dies without leaving a will, the real and personal property goes half to the children and half to surviving spouse. If no children, \$20,000 and three-quarters of the balance to spouse and one-quarter to father and mother. If no parents or their descendants, all goes to surviving spouse.

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ADDENDA

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GUARDIANSHIP OF CHILDREN

Under the old English law the father was the head of the family and the sole guardian of his children. As such he was entitled to the whole of the earnings of his minor children and in case of their death he was their sole heir. In almost every state some modification of this relation of the father to the family has been made by act of the Legislature, and in 18 states the mother has been given equal rights with the father to the custody, earnings and services of her children. In five states some

concessions have been made to the demand for equal guardianship of children, and in 25 states the old law still holds; in six states the father is given the right to appoint a guardian by will without regard to the wishes of the mother, although in one of these states the mother is awarded the custody of the child for its earlier years. In these twenty-five states, the father is in sole control of the children so long as he and the mother live together and so long as the courts have not decreed that he is an unfit person to have charge of his children. All of these twenty-five states are man-suffrage states. In ten of the eleven equal suffrage states and in Illinois equal guardianship has been established, and in Arizona,—the eleventh equal suffrage state, while the mother has not been placed on a full equality with the father, care has been taken to secure to her some right over the children of the marriage. The laws in the several States are as follows:

ALABAMA —The father is the head of the family and is prima facie entitled to the custody of his children against all persons including the mother; but the right of custody may be forfeited by misconduct or lost by misfortune; the best interests of the child must ultimately determine its proper custodians. Guardians may be appointed by the last will of the father if the right is claimed within six months after the will is admitted to probate; but the mother is entitled to the custody of the person of the ward, until it is fourteen years of age.

ARIZONA —The father of a minor, if living, and in case of his death, the mother, being themselves respectively competent to transact their own business, and not otherwise unsuitable, must be entitled to the guardianship of the minor. The mother's right shall not be affected by her subsequent remarriage.

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ARKANSAS —In all cases not otherwise provided for by law, the father while living, and after his death, the mother, if living, shall be the natural guardian of their children. In cases of divorce or separation the law provides that the courts may decide which of the parents is the suitable guardian for the children.

CALIFORNIA —The father and the mother of a legitimate unmarried minor child are equally entitled to its custody, services and earnings. If either the father or the mother be dead, or unable, or refuse to take the custody, or has abandoned his or her family, the other is entitled to its custody, services and earnings.

COLORADO —Every married woman is declared to be joint guardian of her children with her husband, with equal powers, rights and duties in regard to them with the husband.

CONNECTICUT —The father and mother of every minor are joint guardians of such minor, and the powers, rights and duties of both the father and mother in regard to such minor shall be equal. Upon the death of either the father or the mother, the surviving parent shall become sole guardian of the person of such child.

DELAWARE —A father may, by deed or last will, name a guardian for his child, who shall be appointed, if there be no just cause to the contrary. The father, or if there be no father residing in the State, the guardian, or if there be no guardian, the mother of a minor shall have power to bind him as an apprentice or servant.

FLORIDA —Fathers may appoint guardians for their children during any part of infancy, by deed in writing attested by two witnesses, or by last will and testament. A will by the mother of minor children, undertaking to give the custody and care of such children to another is a nullity.

GEORGIA —In all cases where the custody of any minor child or children is involved between the parents, there shall be no *prima facie* right to the custody of such child or children in the father, but the court hearing such issue of custody may exercise its sound discretion, taking into consideration all the circumstances of the case, as to whose custody such child or children shall be awarded, the duty of the court being in all such cases in exercising such discretion to look to and determine solely what is for the best interest of the child or children, and what will best promote their welfare and happiness, and make award accordingly.

IDAHO —The father and mother of a legitimate child are equally entitled to its custody, services and earnings; if either is dead, or abandons his or her family or is an unfit person for the custody of such child, the other is entitled to be sole guardian.

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ILLINOIS —The parents of a minor shall have equal powers, rights and duties concerning such minor.

INDIANA —The father of a minor (or if there be no father, the mother) shall have the custody of the person and the control of the education of such minor. Widows are the natural guardians of their minor children living with them.

IOWA —Parents are the natural guardians of their minor children. The mother equally with the father is entitled to exercise the authority of discipline and may delegate this authority to another.

KANSAS —The father and the mother are the natural guardians of the persons of their minor children, and if either dies or is incapable of acting, the natural guardianship devolves upon the other.

KENTUCKY —The father and mother shall have joint custody, nurture and education of their infant child or children, and in the event of the death of one of the parents, father or mother, the survivor, if suited to the trust, shall be custodian.

LOUISIANA —A child remains under the authority of his father and mother until his majority or emancipation. In case of difference between the parents, the authority of the father prevails. The father is administrator of the estate of his minor children, and the mother in case of his interdiction during such interdiction or absence.

MAINE —Fathers and mothers shall jointly have the care and custody of their minor children.

MARYLAND —The father has legal control over his daughter (or son) and the right to her services until she is twenty-one. The appointment of a guardian by a mother by last will and testament shall be as valid in every respect as if such an appointment had been made by the father, provided that the mother be capable in law to execute a last will and testament.

MASSACHUSETTS —The parents of a minor jointly if living, and in case of the death of either, the surviving parent shall be entitled to the custody of the person of the minor and to the care of his education.

MICHIGAN —The father of a minor and in case of his decease, the mother, being respectively competent to transact their own business, and otherwise suitable, shall be entitled to the custody of the person of the minor and to the care of his education.

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MINNESOTA —The father and mother are the natural guardians of minor children, and being themselves competent to transact their own business and not otherwise unsuitable, they are equally entitled to their custody and the care of their education. If either dies or is incompetent to act, the guardianship devolves upon the other.

MISSISSIPPI —There is no specific law. ^{*} Any parent, even though under twenty-one years of age, may by an instrument wholly written support a guardian.

* “The father is esteemed by law the natural guardian of his children.”—R. B. Campbell, in *Status of Women under the Laws of Mississippi*, 1916, p. 19.

MISSOURI —Married women have equal rights with their husbands to the custody and control of the persons of their minor children, their wages and earnings, and the management of their estates, making the wife liable for the support of her children to the extent of their earnings, qualifying a married woman to act as guardian or curator of a minor child, requiring her to be a party to indentures of apprenticeship, and providing for an adjudication of such rights and rules for the government of proceedings involving such rights.

MONTANA —The father and mother of a legitimate child are equally entitled to its custody, services and earnings. If either is dead, or has abandoned his or her family, the other is entitled to the custody, services and earnings of the child or children.

NEBRASKA —The father and mother are the natural guardians of their minor children, and are equally entitled to their custody, and to care for their education, being themselves competent to transact their own business. If either die or is disqualified for acting, the guardianship devolves upon the other.

NEVADA —The father and mother shall be entitled to the guardianship of the minor. If either the father or the mother be dead the other is entitled thereto.

NEW HAMPSHIRE —The father and mother of every minor child are joint guardians of the person of such child, and the powers, rights and duties of both the father and mother in regard to such child are equal. Upon the death of either, the surviving parent becomes sole guardian of such child.

NEW JERSEY —It shall be lawful for the father of a child or children, by his deed or by his last will and testament, to dispose of the custody and tuition of such child or children for and during such time as he, she, or they shall respectively remain under the age of 21 years, provided that the mother, if living, consent to such appointment. 143 The mother of any minor child may appoint a guardian for her minor children, provided that no guardian shall have been appointed by the father.

NEW MEXICO —The father, and in case of his death or abandonment of his family, the mother, shall be the natural guardian of their children. Every father or mother may, by deed or last will or testament name or guardian for their children.

NEW YORK —A married woman is joint guardian of her children with her husband with equal powers, right and duties in regard to them.

NORTH CAROLINA —Mother must give written consent and have privy examination taken when deed is made by father disposing of custody and tuition of children. Father can only disposed of custody and tuition of children by will when mother is dead.

NORTH DAKOTA —The father of a legitimate, unmarried minor child is entitled to its custody, services and earnings; but he cannot transfer such custody of services to any other person, except the mother, without her written consent, unless she has deserted him or is living separate from him by agreement. If the father is dead or is unable or refuses to take the custody or has abandoned his family, the mother is entitled thereto.

OHIO —The father of a minor, or if there be no father, the mother, if a suitable person, respectively, shall have the custody of the person and control of the education of such minor.

OKLAHOMA —Either the father, or the mother, whether married or unmarried, of the minor, shall be entitled to the guardianship of the minor, provided that in cases where both parents are seeking appointment, the court may upon full investigation appoint the parent who in his judgment is the most competent to look after the interest of said minor.

OREGON —The rights and responsibilities of the parents, in the absence of misconduct, shall be equal, and the mother shall be as fully entitled to the custody and control of the children and their earnings as the father, and in case of the father's death, the mother shall come into as full and complete control of the children and their estates as the father does in case of the mother's death.

PENNSYLVANIA —A married woman who is the mother of a minor child, and who contributes by the fruits of her own labor and otherwise towards the support, maintenance and education of her 144 minor child, shall have the same and equal power, control and authority over her said child, and shall have the same and equal right to its custody and services as is now by law possessed by her husband, who is the father of such minor child. The father and mother of any minor child may devise the custody of such child, providing the surviving father or mother relinquishes the custody, or that the best interests of the minor require that the surviving father or mother should not retain the custody of said minor. A mother who leaves her child an estate may appoint guardian for that estate.

RHODE ISLAND —Every person authorized by the law to make a will may appoint by will subject to the approval of the Probate Court, a guardian or guardians for his minor children. In case of husband and wife, the survivor being otherwise qualified shall be, guardian of their children.

SOUTH CAROLINA —The father of any child or children under the age of 21, if the mother be dead, or the mother of any such child or children, the father being dead, may by his or her deed, or by his or her last will and testament, dispose of the custody and tuition of such child or children for and during the such time as he, she or they shall respectively remain under the age of 21 years, to any person or persons, in possession or remainder.

SOUTH DAKOTA —The father of a minor, if living, and in case of his decrease the mother, while she remains unmarried, must be entitled to the guardianship of the minor.

TENNESSEE —The father may by deed or will dispose of the custody of any legitimate child under the age of 21 years and unmarried, during the minority of such child or for less time. If the father be dead and there be no guardian, the mother is entitled to custody of the children. A mother has no power to appoint a testamentary guardian for her children.

TEXAS —Where the parents live together, the father is the natural guardian of the persons of the minor children by the marriage and is entitled to be appointed guardian of their estates. Where one parents is dead, the survivor is the natural guardian of the persons of the minor children and entitled to appoint the guardian of their estates.

UTAH —The husband and wife living together are the joint guardians of their minor children, with equal powers, rights and duties in respect of the control and custody and of the services and earnings of their minor children; and neither the husband nor the wife has any right paramount to that of the other in respect of the custody of their minor children and control of their earnings.

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VERMONT —The father of a legitimate minor child, and if the father be dead, the mother, shall be the guardian of such child until another is appointed.

VIRGINIA —The father and mother of legitimate minor child are equally entitled to the custody, earnings and services of such child. If either the father and mother be dead or unable or refuse to take its custody or has abandoned his or her family, the other is entitled to custody, services and earnings of such child. In all controversies between parents as to the custody of the children the court shall be governed by consideration of the welfare of the children. The father still retains the power to appoint a guardian of the children's estate.

WASHINGTON —The rights and responsibilities of the parents in the absence of misconduct shall be equal, and the mother shall be as fully entitled to the custody, control and earnings of the children as

the father, and, in case of the father's death, the mother shall come into full and complete control of the children and their estates, as the father does in case of the mother's death.

WEST VIRGINIA —The father of a minor, if living, and in case of his death, the mother, shall be entitled to the custody of the person of the minor. The father has the right to appoint a guardian of the child's estate.

WISCONSIN —The father of a minor, if living, and in case of his death, the mother, while she remains unmarried, shall be entitled to the custody of the minor children.

WYOMING —Every married woman is joint guardian of her children with her husband with equal rights and powers in regard to their custody. At the death of either, the surviving parents is sole guardian. An unmarried or widowed mother may by will or deed dispose of custody and tuition of her minor child to a proper person as guardian, as may also the husband after the death of the mother of the child.

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ADDENDA

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AGE OF CONSENT

By the age of consent is meant the age below which it is penal for a man to have carnal knowledge of a girl even though she may consent to his action. In the old English common law there was no protection for girls over seven, and even as late as July 29, 1880, the English Attorney General made the statement in the House of Commons in reply to a question, that there was "no rule of law which fixed the age below which consent could not be given." The question arose in connection with a case in which a sentence passed by the magistrates of Leicester on a man who had assaulted a child of seven, had been reversed by the court of appeal.

In the United States, in the absence of statutes, the age below which a child could not consent to her own defilement, has been taken to be ten, and this age still remains the limit in Georgia—the only state which has not legislated on this subject. The highest age at which protection is given to girls in any state is 21. In many states there are gradations of punishment, criminal assaults on little children being treated as rape, with lighter penalties for assaults on older girls.

The punishment prescribed by the laws of the different states are given below. The mere statement of the punishment provided in the statutes of any state given only a slight idea of the degree of protection afforded to girls. There is an extraordinary degree of variation in the administration of justice in these cases. In some states it is difficult to get a conviction, and generally speaking it may be stated that offences against girls are more seriously considered and more severely and promptly punished in the equal suffrage states than in the states where women do not vote. The wide variation in the punishment prescribed in the southern states is due to the fact that it is not considered criminal for a white man to have intercourse with a colored girl of immature years. Much objection is taken by women who have experience as social workers to the provision that a girl must be previously chaste in order to have protection. This provision exposes to further degradation girl who has been the victim of former assaults, even if she was then too young to understand the nature of the act, or if she has been rescued from immoral surroundings. It practically holds her responsible for having consented, even while stating that she is too young to consent. It also opens the door to testimony blackening the character of the girl, and thus makes parents very loath to bring a case against the defiler of their daughter.

The fact that the law prescribes a severe penalty does not necessarily mean that girls are well protected. The more severe the penalty, the more difficult is it in many cases to obtain a conviction. Public opinion which insists on protection to girls is their best safeguard, and effective public opinion on this subject is to be found strongest in the equal suffrage states.

The laws in the several states are as follows:

STATE AGE PUNISHMENT Alabama Under 12 Death, or not less than 10 years' imprisonment. 12-14 Fine, \$50 to \$500, or six months' imprisonment. Arizona Under 18 Imprisonment for not less than 5 years. Arkansas Under 16 Imprisonment, from 1 to 21 years. California Under 18 Imprisonment for not more than 50 years. Colorado Under 18 Imprisonment, from 3 years to life. (Boys under 18 are reported from older women.) Connecticut Under 16 Imprisonment for not more than 30 years. Delaware Under 18 Fine, not more than \$1,000 or imprisonment, not more than 20 years. Dist. of Columbia Under 16 Death or imprisonment, from 5 to 30 years. Florida Under 10 Death or life imprisonment. 10 to 18 (if previously chaste) Fine, not more than \$2,000, or imprisonment, not more than 10 years. Georgia No statute Courts have held that a child under 10 cannot consent to her own defilement. Idaho Under 18 Imprisonment, from 5 years to life. Illinois Under 16 Imprisonment, from one year to life. Indiana Under 12 Imprisonment for life. 12 to 16 Fine of \$1,000, and imprisonment, from 2 to 21 years. Iowa Under 15 Imprisonment for not more than 25 years. Kansas Under 18 Imprisonment, from 5 to 21 years. Kentucky Under 12 Death, or life imprisonment. 12 to 16 Imprisonment, from 10 to 20 years. Louisiana Under 12 Death. 12 to 18 Imprisonment, not more than 5 years. 149 Maine Under 14 Imprisonment for

any term of years. 14 to 16 Fine not more than \$500, or imprisonment, not more than 2 years. Maryland Under 14 Death, or life imprisonment, or imprisonment, from 18 months to 21 years. 14 to 16 Fine, not more than \$500, or imprisonment, not more than 2 years. Massachusetts Under 16 Imprisonment for life or any term of years. Michigan Under 16 Imprisonment for life or any term of years. Minnesota Under 10 Imprisonment for life. 10 to 14 Imprisonment, from 7 to 30 years. 14 to 18 Imprisonment in state prison, not more than 7 years, or county jail, not more than 1 year. Mississippi Under 12 Death, or life imprisonment. 12 to 18 (if previously chaste) Imprisonment, not more than 10 years. Missouri Under 15 Death, or 5 years in penitentiary. (if previously chaste) Imprisonment, 5 years, or fine, from \$100 to \$500, or both. Montana Under 18 Imprisonment, from 2 to 99 years. Nebraska Under 15 Imprisonment, from 3 to 20 years. 15 to 18 (if previously chaste) From 3 to 20 years. Nevada Under 16 Imprisonment from 5 years to life. New Hampshire Under 16 Imprisonment nor more than 30 years. New Jersey Under 12 Fine of \$5,000, or hard labor, for not more than 30 years, or both. 12 to 16 Fine of \$2,000, or hard labor, for not more than 15 years, or both. New Mexico Under 16 (or imbecile, or under drugs administered by or with privity of defendant) Imprisonment, from 5 to 20 years. New York Under 18 Imprisonment, not more than 10 years. North Carolina Under 10 Death. 10 to 14 (if virtuous) Fine or imprisonment in discretion of court. North Dakota Under 16 Imprisonment, not less than 5 years. 16 to 18 Imprisonment, 1 to 15 years. Ohio Under 12 Imprisonment for life. 12 to 16 Imprisonment, 1 to 20 years, or 6 months in county jail or workhouse. Oklahoma Under 14 Death, or imprisonment, not less than 15 years. 14 to 16 Imprisonment, from 1 to 3 years. 16 to 18 (if previously chaste) Imprisonment from 1 to 3 years. 150 Oregon Under 16 Imprisonment, from 3 to 20 years. 16 to 18 (if chaste) Penitentiary, 1 to 5 years, or jail 1 month to 1 year; or fine, from \$50 to \$500. Pennsylvania Under 16 (if chaste) Fine, not exceeding \$1,000 and imprisonment, not exceeding 15 years. (if not chaste) Fine, not exceeding \$100. Rhode Island Under 16 Imprisonment, nor more than 15 years. 16 to 18 (unless of know immoral character) Imprisonment, not more than 5 years. South Carolina Under 10 Death, or imprisonment, from 5 to 40 years. 10 to 14 Imprisonment, not more than 14 years. South Dakota Under 10 Imprisonment, not less than 10 years. 10 to 18 Imprisonment, not more than 20 years. Tennessee Under 12 Death, or imprisonment, not less than 10 years. 12 to 14 Imprisonment, from 3 to 10 years. 14 to 21 (if chaste) Imprisonment, from 3 to 10 years. Texas Under 15 Imprisonment, not less than 5 years. Utah Under 13 Imprisonment, not less than 5 years. 13 to 18 Imprisonment, not more than 5 years. Vermont Under 16 Imprisonment, not more than 20 years, or fine not more than \$2,000, or both. When both boy and girl are under 16, both may be committed to Industrial School. Virginia Under 15 Imprisonment, from 5 to 20 years. Washington Under 10 Imprisonment, for life. 10 to 15 Imprisonment, not less than 5 years. 15 to 18 (if previously chaste) Not more than 10 years in penitentiary, or 1 year in county jail. West Virginia Under 14 Death, or imprisonment, from 7 to 20 years. Wisconsin Under 16 Imprisonment, from 5

to 85 years, or fine of \$200. 16 to 18 Imprisonment, 1 to 10 years, or fine of not more than \$200. Wyoming Under 18 Imprisonment, from 1 year to life. 151

ADDENDA

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CONTROL OF THE LIQUOR TRAFFIC

On March 1, 1917, twenty-five states had adopted statewide prohibition of the liquor traffic. Of these states eight were equal suffrage states and seventeen man-suffrage states. Prohibition amendments were carried in the elections of November 7th, 1916, in Michigan, Montana, Nebraska and South Dakota. In these states prohibition will go into effect between May 1st, 1917—the date set for Nebraska, and December 31, 1918, the last day on which the liquor traffic will be constitutional in Montana. By the Montana amendment, the Legislature is empowered to pass legislation for the extinction of the liquor traffic during the session of 1917. The legislation may be made effective at any date before the end of 1918. The prohibition amendment takes a greater difference to Montana than to the other three states as Montana had previously had no form of local option.

At the same election the chief issue in Utah was prohibition, and the fight centered on the re-election of a governor who had vetoed prohibitory legislation, and the election of a candidate pledged to making Utah dry before July, 1917. The prohibition candidate was elected and a bill for state-wide prohibition was passed by the legislature and signed by the governor before the end of February, 1917. Another state to go dry by legislative enactment in 1917 was Indiana, and it is noteworthy that the prohibition law was almost simultaneous with a law giving the most generous measure of suffrage to the women of Indiana ever granted by a legislature without constitutional amendment. By the addition of Utah eight out of the eleven full suffrage states were prohibition states, as compared with seventeen of the thirty-six man-suffrage states. Only three equal suffrage states tolerated the liquor traffic, as compared with twenty of the man-suffrage states.

Following is a statement of the legal position of the liquor traffic in all the 48 states:

PROHIBITION STATES DATE WHEN PROHIBITION CAME INTO FORCE Alabama 1915
Arizona 1914 equal suffrage Arkansas 1915 154 Colorado 1916 equal suffrage Georgia 1907
Idaho 1916 equal suffrage Indiana 1918 Iowa 1916 Kansas 1880 equal suffrage Maine 1851
Michigan May 1, 1918 Mississippi 1908 Montana Jan. 1, 1919 equal suffrage Nebraska May

1, 1917 North Carolina 1909 North Dakota 1889 Oklahoma 1907 Oregon 1916 equal suffrage
South Carolina 1916 South Dakota July 1, 1917 Tennessee 1909 Utah 1917 Washington 1916
equal suffrage West Virginia 1912 Virginia 1916

The following states have some form of local option under which a considerable proportion of their territory is dry:

California Fee levied by local authorities. Equal suffrage.

Connecticut Fee \$333 to \$750.

Delaware Local option only in Kent and Sussex Counties.

Florida Fee \$1,000.

Illinois Fee not less than \$500. Equal suffrage.

Kentucky Fee \$85 to \$1,500. In the cities saloon licenses are sold by auction.

Louisiana Fee \$200 up.

Maryland Fee varies, in Baltimore, \$1,000.

Massachusetts Fee for first class license, \$1,000. No. of licenses limited to 1 to 1,000 inhabitants; in Boston 1 to 500 inhabitants.

Minnesota 45 out of 86 counties dry in 1917.

Missouri Fee \$700 to \$1,200.

New Hampshire Fee \$1,200.

New Mexico Fee \$100 to \$400.

New York Local option in towns, Fee \$187.50 to \$1,500.

Ohio Certificate \$100. Tax on business, \$1,000.

Rhode Island Fee \$300 to \$1,500.

Texas Fee \$552.50 to \$750.

Vermont Rejected prohibition in 1916. Will vote on prohibition November, 1918.

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Wisconsin Fee \$100 to \$500.

Wyoming Fee \$,1000, city Heense additional. Equal suffrage. Will vote on Prohibition, November, 1918.

The following states have neither prohibition nor local option:

Nevada Fee \$100. Will vote prohibition in 1918. Equal suffrage.

New Jersey Fee \$100 to \$ 1,000.

Pennsylvania Fee \$100 to \$1,100.

(In Pennsylvania licenses are granted by the judges of the court of quarter sessions; and may be withheld in deference to public sentiment. The question of license is consequently the chief issue in the election of many of these judges. A number of counties are dry under special laws passed by the Legislature in response to local sentiment.)

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ADDENDA

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PUBLIC MORALITY—RED LIGHT INJUNCTION AND ABATEMENT LAW

Laws for the punishment of prostitution and the regulation of disorderly houses are of ancient origin in English law. These laws were directed against the women who were the keepers of the houses, as well as the inmates. These women were looked upon as vile and criminal; while the men who frequented the houses were regarded as exercising a natural function which was necessary to their health. The only case in regard to the men was that no extortion should be practiced on them by the women, and that they should be guarded from infectious diseases.

Such laws were, of course, ineffective in suppressing commercial vice; and while most of the states have followed the English common law in holding that disorderly houses are public nuisances, and while the keeping of such houses is penalized as criminal by the statutes of nearly every state, the

only ground on which an ordinary citizen could bring suit was that he had suffered special damage from such houses, different from the damage suffered by the general public. As disorderly houses are generally found among the poorest and most defenseless inhabitants of a town or city, the exercise of the right of private action was infrequent. The enforcement of the law was therefore dependent upon the activity of the municipal, county or state officials. Public opinion, in general, failed to hold town and city governments to their duty, and the ease with which money could be obtained as the price of toleration and protection has often resulted in a criminal alliance between politics and vice, with the consequent corruption of the police and other city officials.

The newer method of dealing with commercial vice dates back to 1891. The first state to pass a law of the type of the Red Light Injunction and Abatement laws was Maine; but the Maine law lacks some of the features which characterize more recent laws in other states. Texas followed the example of Maine in 1907 with a law which had some of the shortcomings of the Maine law, and it was not until 1909 that the first complete Red Light Abatement and Injunction law was passed by the state of Iowa. The Iowa law has been taken as the model for the more 158 recent legislation, which has now been passed in twenty-six states, as well as in the District of Columbia, and by the Legislature of North Carolina for Guilford County. Of the twenty-six states that now have these laws nine are equal suffrage states, and seventeen are man-suffrage states.

The chief features of the law are (1) that houses of ill-fame or of assignation are declared to be nuisances, and that those who own, conduct, or occupy them are guilty of a nuisance; (2) that county and district attorneys and private citizens (in some states, taxpayers) are given the right to institute proceedings for their abatement, and for perpetual injunctions against the persons owning, conducting or occupying them; that if satisfied of the existence of the nuisance at the trial, the court shall issue a permanent injunction restraining all parties from continuing the nuisance, and an abatement order, removing and selling the fixtures and movable property used in conducting the nuisance, closing the building for one year, and using the proceeds of the sale for the payment of costs. The violation of the injunction is made contempt of court, punishable by fine and imprisonment.

ARIZONA

The Arizona Legislature passed the Red Light Injunction and Abatement law in the session of 1913. The law was modelled on the Iowa statute; but differs from it in several particulars. The first clause reads: "Whoever shall erect, establish, continue, maintain, use, own or lease any building, erection or place, used for the purpose of lewdness, assignation or prostitution, is guilty of a nuisance, and

the building, erection or place, or the ground itself, in or upon which such lewdness, assignation or prostitution is conducted, permitted or carried on, continued or exists, and the furniture, fixtures, musical instruments and contents are also declared a nuisance and shall be enjoined and abated as hereinafter provided."

The Attorney-General, or any citizen of the county, through any attorney he may select, may maintain an action in the name of the state of Arizona, upon the relation of such county attorney or citizen to enjoin said nuisance. The general reputation of the place is admissible as evidence to prove the existence of a nuisance.

In case of the violation of any injunction granted under the provisions of the act, the offender may be summarily tried for contempt and punished by a fine of not less than \$200 nor more than \$1,000 or by imprisonment from 3 to 6 months or by both fine and imprisonment.

If the existence of the nuisance be established, an order of abatement shall be entered. The order shall direct the removal of all fixtures, 159 furniture, musical instruments or movable property used in conducting the nuisance, and shall direct the sale thereof, and the closing of the building or place for one year unless sooner released. The proceeds of the sale shall be applied to the costs of the sale and of closing and keeping closed the premises, the balance, if any, shall be paid to the defendant.

The owner of the property may obtain a release on paying all costs of the proceeding and filing a bond in the full value of the property that he will immediately abate said nuisance and keep it abated for one year.

Whenever a final judgment is rendered against any person or against any owner or his agent, enjoining the maintenance of said nuisance, such judgment shall adjudge that the defendant or defendants pay to the county \$300 as a tax against such building or tract of land on which it is situated, in addition to all other taxes.

The last clause of the act reads: "Nothing contained herein shall be construed to affect, repeal, or apply to any ordinance of any city or town, enacted in conformity with, and under the authority of Section 317 of the penal code." The section cited provides that every person who keeps any house of ill-fame for the purpose of assignation or prostitution outside the limits provided by the ordinances of any city or town is guilty of a misdemeanor. In Texas the State Supreme Court has decided that it is not within the power of any town to grant permission within any area for the maintenance of a nuisance. This clause of the Arizona law has not yet been tested.

CALIFORNIA

The Red Light Injunction and Abatement Law was passed by the California Legislature and approved by the Governor in 1913. A petition against it was presented before it came into operation, which necessitated the taking of a referendum vote on the law. It was, however, confirmed by popular vote at the election of 1914, largely through the efforts of the women who organized and campaigned vigorously in favor of the law. Its general provisions are as follows:

Any building (defined to mean and include so much of any building or structure of any kind, as is or may be entered through the same outside entrance) or place used for the purposes of lewdness, assignation or prostitution, or upon which acts of lewdness, assignation or prostitution are held or occur, is declared to be a nuisance. Any person who conducts, or maintains such a nuisance and the owner, agent or lessee of the building or place, shall be perpetually enjoined from directly or indirectly maintaining or permitting such nuisance.

Whenever such a nuisance exists the district attorney must, or any private citizen of the county may, bring an action to abate such nuisance and to enjoin such person or persons maintaining the same from further maintenance thereof.

If it is established that the nuisance exists, the fixtures, musical 160 instruments and movable property in such building shall be removed and sold, the proceeds being applied to pay costs of removal and sale, plaintiff's costs and other costs incurred in the abating of the nuisance. Any balance remaining shall be handed over to the owner of such property. The building shall be closed, and kept closed for one year, unless sooner released by order of the court. The owner of the property may obtain release upon payment of costs, and filing of bond in full value of the property, that he will immediately abate such nuisance and keep it abated for one year.

Any violation of the court order is punishable as contempt of court, by fine of from \$200 to \$1,000 or by imprisonment from one to six months, or by both fine and imprisonment.

COLORADO

The Red Light Abatement Law was passed in the 1915 session of the Colorado Legislation. It agrees in every particular with the California law as previously described.

DISTRICT OF COLUMBIA

The law as passed by Congress for the District of Columbia in 1914, follows the Iowa law more closely than the California law. It defines as a nuisance “any building, erection, ground or place used for the purposes of lewdness, assignation or prostitution, and also the furniture, fixtures, musical instruments and contents thereof.”

It provides that anyone who erects, establishes, continues, maintains, uses, owns, or leases a building, or place used for such purpose, is guilty of a nuisance, and those who conduct or maintain such a nuisance and the owner or agent of the building or ground may be enjoined.

The remaining clauses of the law resemble the California law, except that there is no mention of plaintiff's costs in the list of purposes to which the proceeds of the sale of fixtures and contents of the building or place may be put, and a tax of \$300 is assessed against the building which must be paid by the owner and agent of the premises, without releasing them from other penalties under the law. The fine is from \$200 to \$1,000; and the minimum term of imprisonment is three months instead of one month.

IDAHO

The Red Light Abatement Law was passed by the Idaho Legislature in 1915. The law provides that the conduction of a place for the purpose of prostitution, lewdness or assignation—commonly called a house of ill-fame—is a moral nuisance. A building or place in which a house of ill-fame is conducted or kept and the furniture and movable contents thereof are a moral nuisance. Any resident citizen of the county may maintain an action for the abatement of a moral nuisance, and it is the duty of the county attorney to bring such action. Any moral nuisance 161 may be abated, and the person doing such act, or engaged in such occupation, may be enjoined. Evidence of the general reputation of such house or place is admissible.

If the existence of the nuisance is established, a perpetual injunction shall be issued, and the building shall be closed under order of the court for one year, unless sooner released under conditions similar to those in the California law.

The furniture and contents of the building are directed to be removed and sold, and the proceeds distributed, as in the California law, and a similar punishment is provided for violation of the

injunction. All fines or costs not satisfied out of the proceeds of the sale of removable property are a lien on the building and ground.

INDIANA

The Indiana Legislature passed the Red Light Injunction law in the 1915 session. It is on the Iowa model, as described under the District of Columbia.

ILLINOIS

Illinois passed the Red Light Injunction and Abatement law in the session of 1915. The law in most of its features resembles the California statute. The chief points of difference are in the definitions. The law provides that all buildings and apartments, and all places and the fixtures and movable contents thereof, used for purposes of lewdness, assignation or prostitution are declared public nuisances and may be abated. The owners, agents and occupants of any such building or apartment shall be guilty of maintaining a nuisance and may be enjoined.

The right to maintain a bill for the abatement of the nuisance is vested in the state's attorney, or any citizen of the county. The procedure in regard to the issuance of an injunction and the abatement of the nuisance follows the same lines as in the California law.

IOWA

The Iowa law which has formed the model of all subsequent laws, although with modifications in several states, was passed in 1909. It has been described under the heading of the District of Columbia.

KANSAS

Kansas was one of the earlier states to follow the example of Iowa. The law was passed there in the 1913 session of the Legislature. There are some modifications of the Iowa model. In the definition of a nuisance "fornication and concubinage" are added to prostitution, and lewdness and assignation are omitted. There is no definite list of those who may be enjoined, but apparently all who maintain, practice, permit or allow such acts are subject to injunction. Provision is made in the

law for perpetual injunction and for abatement but the procedure is 162 not specified. The penalty for violation of the injunction is from \$100 to \$500 fine and imprisonment from 30 days to 6 months.

MAINE

The Maine law is much older than the law passed in Iowa in 1909, and it is much less drastic in its provisions. It was passed in 1891, and its claim to inclusion under the Red Light Abatement laws rests on the fact that the law is aimed against the building used for purposes of prostitution. The law defines as a nuisance any building used for the purpose of assignation or prostitution, and provides that such nuisance may be abated upon the presentation to the court of a petition signed by not less than twenty legal voters of the town or city in which the building is situated. Women are therefore powerless in regard to the Maine law. There is no provision for the removal or sale of the contents of the building, and although it may be assumed that the court has power to enjoin and to punish for contempt if its orders are disregarded, there is no procedure prescribed nor penalties stated in law.

MASSACHUSETTS

The Red Light Injunction and Abatement law was passed in Massachusetts in 1914. In it the nuisance to be abated is defined as "every building, part of a building, tenement or place used for prostitution, assignation or lewdness, and every place within which or upon which acts of prostitution, assignation or lewdness are held or occur." Whoever keeps or maintains such a nuisance shall be punished by fine of from \$100 to \$1,000 and by imprisonment from 3 months to 3 years.

The right to maintain a bill to enjoin such nuisance is vested in the district attorney, the attorney general, or none or more citizens in his or their own names. The owner of record of the premises shall be joined in the bill as a party respondent.

In other respects the measure resembles the Red Light Law of California.

MICHIGAN

The law was passed in Michigan in 1915. It is a little more concise than the Iowa law. It provides that "whoever shall conduct, maintain, own, or lease any building or place, used for purposed of lewdness, assignation or prostitution is guilty of a nuisance," and the building or place where such nuisance is permitted, or carried on, together with its furniture, fixtures and contents are also a

nuisance which shall be enjoined and abated. Action may be maintained by the prosecuting attorney or by any citizen of the county, and general reputation is admissible as evidence. The remaining provisions of the law resemble those of the Iowa law. Injunctions can be issued and contents of building removed and sold; the building may be closed for one year subject to release on the same terms as in Iowa.

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MINNESOTA

The law was passed in Minnesota in 1913. In its main features it follows almost exactly the Iowa model.

NEBRASKA

The Nebraska Legislature passed the Red Light Law in 1911. Like Minnesota, it followed almost exactly the Iowa law of 1909.

NEW JERSEY

A Red Light Injunction and Abatement Law was passed by the Legislature of New Jersey in the session of 1916. It is framed on the model of the California law and the definition of a nuisance is identical with that of the California law. Power to maintain an action for abatement is vested in the prosecutor of the pleas, or any resident of the county, and it is especially provided that "it shall be unnecessary to allege or prove personal or special damage." Clothing is excepted from the movable property which may not be removed under the temporary injunction, or sold when the injunction is made perpetual. In other respects the law follows the lines of the California statute.

NEW YORK

The law was passed in New York in 1914. It follows the Iowa model except that in defining the nuisance the terms used are: any building, ground, or place, or part thereof, used for the purposes of lewdness, assignation or prostitution; and the word "knowingly" is added in regard to the persons who may be enjoined for maintaining or permitted a nuisance. In regard to the persons who may bring suit for the abatement of the nuisance, the New York law adds "any domestic corporation

organized for the suppression of vice” which possesses a certificate from the state board of charities. The closing order must be for not less than thirty days, nor more than one year, and such order is only issued when there has been a violation of the judgement. There is no provision for release to the owner. Violation of the court order is punishable by imprisonment from 10 days to one year, without option of a fine.

NORTH CAROLINA

In 1913 the Legislature of North Carolina passed a Red Light and Injunction law which applied only to one of the one hundred counties of the State. The law covers Guilford County, the second county in point of population, the principal city being Greensboro. The Act is entitled “an Act to prevent the degrading of public morals in Guilford County.” It is on the Iowa model but gambling and the illegal sale of whiskey are included in the definition of the nuisance which may be abated.

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NORTH DAKOTA

North Dakota passed a Red Light Abatement law in 1911. The law is on the Iowa model; but there are several differences both in the definitions used to describe a nuisance, and in the procedure. The nuisance is described as any building, place or room used for the purpose of prostitution or for any other lewd, obscene, or indecent purpose, and the use of such building, room or place by any one may be enjoined. There is no provision for the removal and sale of the contents of the building or room. The building may be closed as in the Iowa law, and the release of the building is left to the discretion of the court. The costs of closing the building are taxed as part of the costs of the action. If the action is brought by a private citizen he must furnish a bond to cover the costs; but if successful, he is allowed a reasonable attorney's fee. The punishment for contempt, if the injunction is disregarded, is a fine of from \$25 to \$1,000 and in addition imprisonment for not more than one year.

OREGON

The Oregon law was passed in 1918. It also is on the Iowa model, with some slight differences. Instead of enumerating the persons who can be enjoined, the law simply states that anyone guilty of maintaining a nuisance may be enjoined. The bringing of an action is made obligatory on the district attorney, but if an action is brought by a private citizen the citizen must be a tax-payer. The provision

for closing a building is the same; but release can be secured by a lessee as well as by an owner, if the court is satisfied of his innocence, and all charges are paid.

PENNSYLVANIA

The law was passed in Pennsylvania in 1918. With minor differences it also follows pretty closely the Iowa model.

SOUTH DAKOTA

In South Dakota the law was passed in 1913, and the South Dakota Legislature accepted the Iowa model almost word for word. The chief difference is that the court is allowed a little more discretion in making orders to secure collection of the tax assessed against the building.

TENNESSEE

Tennessee was also one of the nine states that passed the Red Light law in 1913. There is little difference in the definition of a nuisance, and it is made a little more difficult for a private citizen to obtain an injunction. This can only be done with the concurrence of the county or district attorney, upon the relation of ten or more citizens and freeholders of the county. The same law permits the enjoining of any person selling liquor in contravention of the prohibition law.

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TEXAS

A law was passed in Texas in 1907 which has some of the characteristics of the Red Light Abatement and Injunction law. It defines a building, premises, or part thereof, which is used as a bawdy or disorderly house as a nuisance, and states that any person who may be about to use such, or who may aid or abet any other person in the use may be enjoined. Any citizen of the state may bring suit in his own name for abatement of nuisance. The operation of the law is qualified by the important provision that the right to bring such a suit shall not apply to nor be construed to interfere with the control and regulation of bawds and bawdy houses by ordinances of incorporated towns and cities, acting under special charters, and where the same are actually confined by ordinance of such city within a designated district of such city. A decision of the Texas Supreme Court, rendered in 1915, to

the effect that a city has no power to enact an ordinance creating a segregated district, since there is a statute prohibiting the maintenance of disorderly houses, goes far to nullify this objectionable provision.

UTAH

The Utah Legislature passed the law in 1913. It is on the Iowa model and the differences are so slight as scarcely to need mention. The owner or agent of a building classed as a nuisance, who is not in possession, is entitled to notice in writing, and to a reasonable time to abate the nuisance before the injunction issues. The punishment for contempt is limited to a fine of not more than \$1,000, or imprisonment for not more than six months or both.

VIRGINIA

The Red Light Injunction and Abatement Law was passed by the Virginia Legislature in the session of 1916. The law is on the Iowa model with differences that are in no way essential.

WASHINGTON

Washington was one of the nine states which passed the Red Light law in 1913. Like many of the other states, it followed closely the Iowa model and the differences in the case of Washington are trivial.

WISCONSIN

Wisconsin also passed the Red Light Injunction law in 1913. The Legislature followed closely the Iowa model with only slight differences in detail.

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ADDENDA